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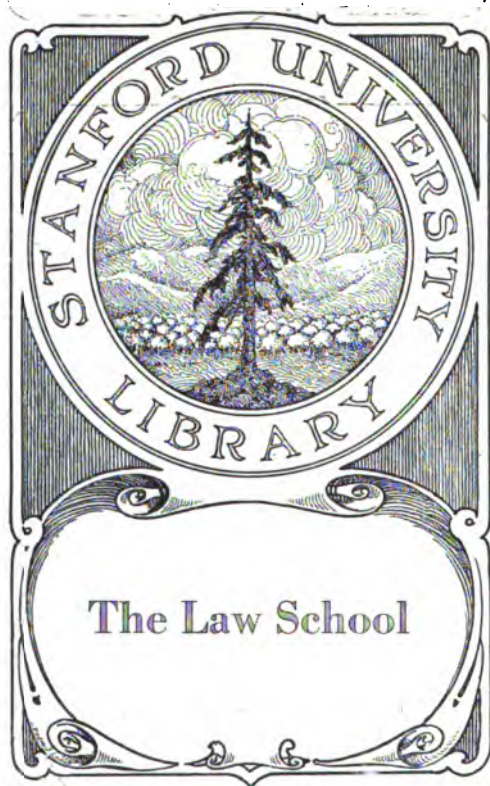
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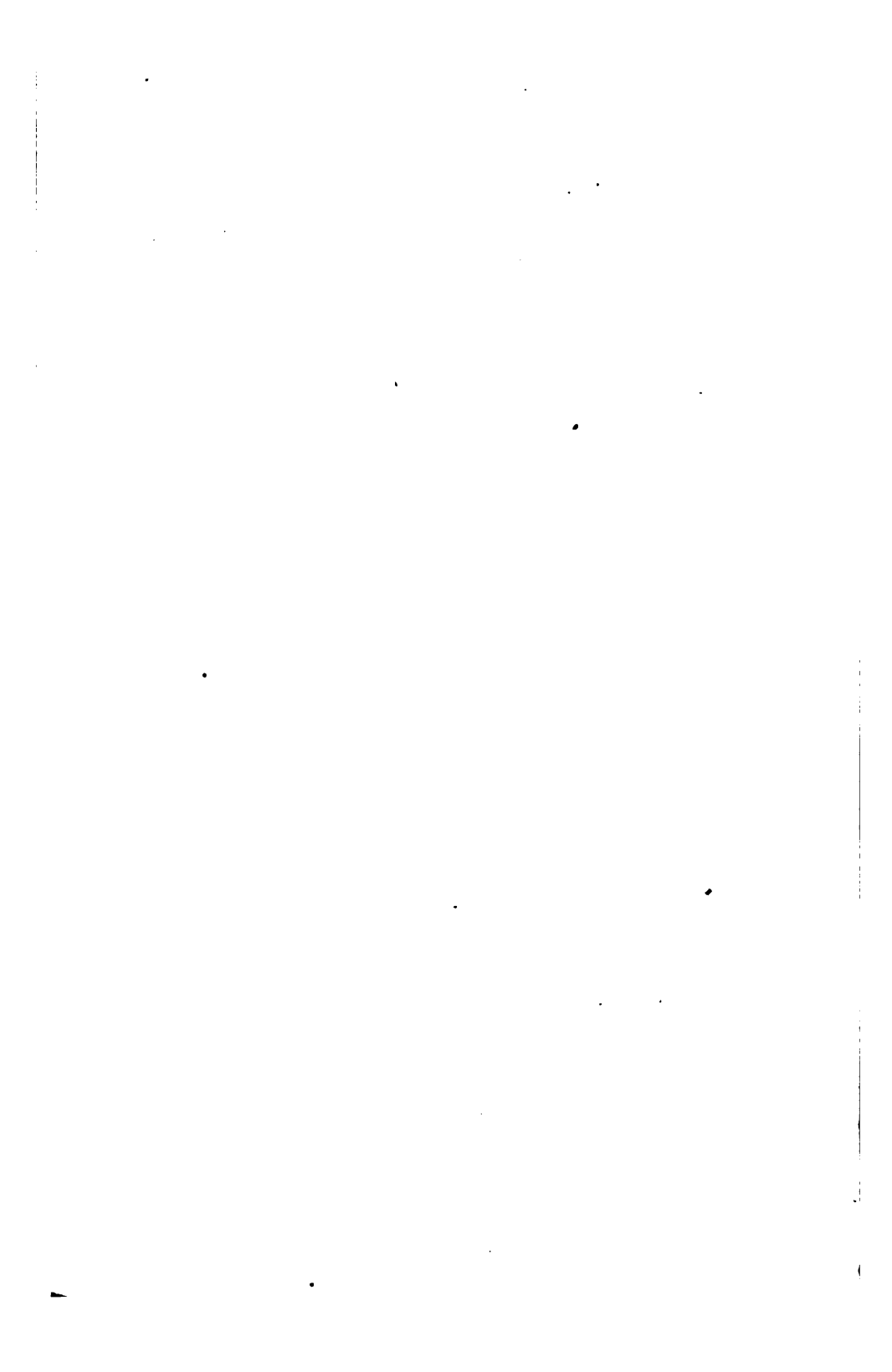
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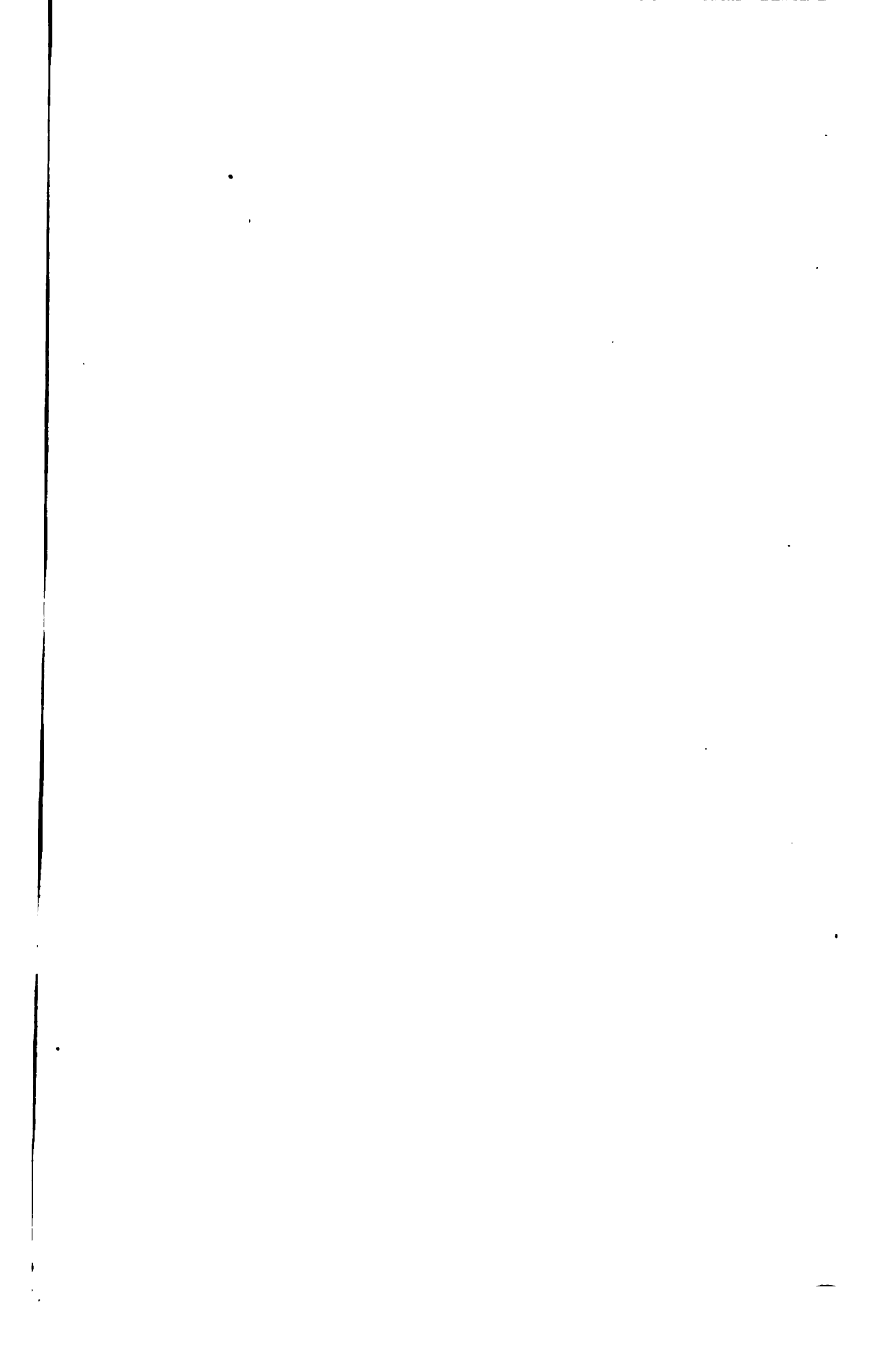
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STATUTES

OF THE

STATE OF NEVADA

PASSED AT THE

TWENTY-FIFTH SESSION OF THE LEGISLATURE

1911

COMMENCED MONDAY, THE SIXTEENTH DAY OF JANUARY, AND ENDED
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118.	An act authorizing the inspector of mines to purchase certain equipment for emergency use for fighting fires, rescue work, and resuscitating persons overcome with smoke or gases in mines. Approved March 18, 1911	133
119.	An act to repeal an act entitled "An act creating and establishing a state industrial and publicity commission, prescribing their duties and compensation, providing funds to be used for the accomplishment of their objects, and other matters relating thereto," approved March 29, 1907. Approved March 18, 1911.....	133
120.	An act providing for the payment of certain claims against the state for services rendered, or supplies furnished, approved by the state board of examiners, the appropriations for the payment of which having reverted to the general fund or was exhausted previous to January first, nineteen hundred and eleven. Approved March 18, 1911	134

<i>Chapter</i>	<i>Title of Act</i>	<i>Page</i>
121.	An act to amend "An act fixing the compensation of county and township officers in Nye County, State of Nevada, and matters pertaining to the collection and disposition of fees arising from such offices, and regulating the conduct thereof, and to repeal all acts or parts of acts conflicting therewith," approved March 24, 1909, and being chapter CLXXVII, laws of 1909. Approved March 18, 1911.	134
122.	An act to provide educational facilities for the children in the State Orphans' Home and other matters properly connected therewith. Approved March 20, 1911.	135
123.	An act empowering the county commissioners to levy a special tax to cover the expenses of displaying the products of the county at expositions. Approved March 20, 1911.	136
124.	An act to amend sections three and four of an act entitled "An act consolidating certain county offices in Lyon County, and regulating the compensation of the county officers in said county," approved March 16, 1891, approved February 18, 1893, approved March 10, 1897, approved March 13, 1905, approved March 20, 1907. Approved March 20, 1911.	137
125.	An act authorizing the appointment of a professor in the University of Nevada to investigate alleged diseases of potatoes which prevent their being marketed in other states than Nevada, and making an appropriation for carrying out the provisions of this act. Approved March 20, 1911.	138
126.	An act amendatory of and supplemental to an act entitled "An act to provide for revising, compiling, annotating and publishing the laws of the State of Nevada, and the compiling, annotating and publishing therewith certain laws of the United States of particular interest to the State of Nevada, and other matters properly connected therewith, and making appropriation therefor," which became a law March 31, 1909; making an appropriation for the publishing of such laws and for the paying of expenses heretofore incurred and to be hereafter incurred by the commission provided for in said above-entitled act. Approved March 20, 1911.	139
127.	An act fixing the salaries of justices of the peace and constables in and for Wonder, Fairview, Stillwater, and New River Township, in the county of Churchill, State of Nevada, and other matters relating thereto. Approved March 20, 1911.	140
128.	An act to authorize the board of school trustees of Winnemucca school district number seven, Humboldt County, State of Nevada, to issue bonds for the purpose of building additional school rooms to the school building situated in the town of Winnemucca and owned by said district, furnishing and equipping said rooms, for purchasing and installing a heating plant in the said building, and matters properly connected therewith. Approved March 20, 1911.	141
129.	An act to provide for the relief of W. C. Grimes. Approved March 20, 1911.	143
130.	An act to authorize payment by the city of Fallon, Nevada, to William S. Wall for legal services rendered in the incorporation of said city. Approved March 20, 1911.	143
131.	An act to authorize the board of county commissioners of Churchill County to issue bonds for the purpose of creating a fund for the construction and maintenance of county roads and county bridges in said county. Approved March 20, 1911.	144
132.	An act to incorporate the town of Las Vegas, in Clark County, and defining the boundaries thereof, and to authorize the establishing of a city government therefor, and other matters relating thereto. Approved March 16, 1911.	145
133.	An act concerning public schools, and repealing certain acts relating thereto. Approved March 20, 1911.	183
134.	An act entitled "An act to provide for the organization and government of drainage, irrigation and water storage districts, to provide for the acquisition of water and other property, and for the distribution of the water thereby for irrigation purposes, and for other matters properly connected therewith." Approved March 20, 1911.	248
135.	An act providing for the examination and auditing of the books and accounts of certain officers, and providing penalties for its violation. Approved March 20, 1911.	276
136.	An act to amend an act entitled "An act to create the office of road supervisor in Elko County, to fill the same by appointment, to prescribe the duties and compensation of said office, and other matters in relation thereto," approved March 14, 1907. Approved March 20, 1911.	278

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137.	An act to amend an act entitled "An act granting a franchise unto Nevada Telephone-Telegraph Company, a corporation organized and existing under the laws of the State of Nevada, its successors and assigns, to complete and operate a telephone and telegraph line from the town of Reno, in Washoe County, to the town of Ely, in White Pine County, via Carson City, Ormsby County; Dayton, Lyon County; Fort Churchill, Lyon County; Tonopah, Nye County; along, across and under highways and certain lands between the said termini," approved March 22, 1909. Approved March 20, 1911	278
138.	An act providing for the establishment of private fish hatcheries for artificial propagation, culture and maintenance of food fishes, for their regulation and licensing, and for the sale, shipment, transportation and disposition of fish raised and propagated therein or thereby, and prescribing a penalty for the violation of the provisions thereof. Approved March 20, 1911	279
139.	An act to amend an act entitled "An act creating a school of mines, to be located at Virginia City, Nevada," approved March 20, 1903. Approved March 20, 1911.	281
140.	An act to provide for the erection and equipment of an electrical building at the University of Nevada, at Reno, Nevada, and making an appropriation therefor. Approved March 20, 1911	281
141.	An act to provide for the measurement of water used on irrigated areas, the determination of the losses from irrigating ditches and the remedies therefor, and a study of the evaporation losses and the remedies therefor, and a study of the best methods of distributing and applying water in growing crops in the State of Nevada, in cooperation with the United States department of agriculture, the Nevada Agricultural Experiment Station and the state engineer. Approved March 20, 1911	282
142.	An act to provide for the purchase, publication, distribution and sale of a digest of the Nevada supreme court reports, and making an appropriation therefor. Approved March 20, 1911	283
143.	An act requiring nonresident, joint-stock companies, associations and corporations doing a building and loan business to furnish security before doing business in this state, and prescribing a penalty for a failure to do so. Approved March 20, 1911	283
144.	An act providing for a state board of capitol commissioners, defining their duties and powers, and repealing all acts in conflict therewith. Approved March 20, 1911	286
145.	An act amending section thirty-three of an act entitled "An act concerning and fixing standard weights and measures and to regulate the sale of commodities or articles of merchandise according to such standards, and to provide fines, penalties, and damages for the violation thereof, and for rules of evidence relating thereto; and to provide for the inspection of weights, measures and weighing and measuring devices and for the enforcement thereof and making an appropriation for the carrying out of this act," approved March 9, 1911. Approved March 20, 1911	287
146.	An act for the relief of Nevada Ballard. Approved March 20, 1911	288
147.	An act to provide for the improvement and furnishing the State Orphans' Home, appropriating money therefor, and other matters relating thereto. Approved March 20, 1911	289
148.	An act appropriating money for the purpose of furnishing filing-cases and equipment for the preservation of the records in the offices of the state controller, the adjutant-general, and the state superintendent of public instruction. Approved March 20, 1911	290
149.	An act empowering all persons to copy or make abstracts or memoranda of all books and records of state and county officers and to utilize the same to supply the general public with copies, abstracts, and memoranda, and to otherwise make use thereof. Approved March 20, 1911	290
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152.	An act prohibiting certain persons from remaining in saloons, and fixing penalties for the violation thereof. Approved March 22, 1911	314
153.	An act to facilitate the execution of deeds and conveyances of property of persons who are bound by bond or contract to convey real estate or transfer personal property, but who die before making the conveyance or transfer, authorizing the district court having jurisdiction over the estate to decree that the executor or administrator complete the execution of the contract. Approved March 22, 1911	315
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156.	An act to amend section four of an act relating to marriage and divorce, approved November 28, 1861. Approved March 22, 1911	317
157.	An act to amend section one of an act entitled "An act to provide for the payment of attorneys in certain cases," approved March 5, 1875. Approved March 22, 1911	318
158.	An act defining what shall constitute legal residence in the State of Nevada. Approved March 22, 1911	318
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160.	An act to amend section five, as the same has heretofore been amended, of an act entitled "An act to secure liens to mechanics and others and to repeal all other acts in relation thereto," approved March 2, 1875. Approved March 22, 1911.....	320
161.	An act making it lawful for the district judge for each judicial district of this state, to sign any and all minutes and records of the district court for which he is incumbent, left unsigned by his predecessor in office, or by any district judge previously sitting in the district or county, and making such minutes and records when thus signed of the same force and effect, as if they had been signed by such predecessor or such district judge previously sitting. Approved March 22, 1911	321
162.	An act making the railroad commission of Nevada ex officio a public service commission for the regulation and control of certain public utilities, prescribing the manner in which such public utilities shall be regulated and controlled, requiring such public utilities to furnish reasonably adequate service and facilities, prohibiting unjust and unreasonable charges for services rendered by such public utilities, providing penalties for violation of the provisions of this act, authorizing such public service commission to appoint an expert engineer and to employ clerks and assistants, and making an appropriation for carrying out the provisions of this act. Approved March 23, 1911	322
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164.	An act to amend section ten of an act entitled "An act to provide for the registration of the names of electors and to prevent frauds at elections," approved March 5, 1869. Approved March 23, 1911.....	332
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166.	An act providing for a single registration of the names of electors to vote at any primary election and at the election for which candidates are nominated at such primary election. Approved March 23, 1911.	335
167.	An act to amend "An act to provide for the direct nomination of candidates for public office by electors, political parties and organizations of electors, without conventions, at elections to be known and designated as primary elections, determining the tests and conditions upon which electors, political parties and organizations of electors may participate in any such primary elections, and establishing the rates of compensation for primary election officers serving at such primary elections; providing for the organization of political parties and the promulgation of their platforms, and providing the methods whereby the electors of political parties may express their choice at such primary elections for United States senator; to provide for the registration of voters for said primary elections and the compensation of registry agents, and to provide penalties for violating the provisions of this act," approved March 23, 1909. Approved March 23, 1911.	336
168.	An act to authorize the issuance of interest-bearing school warrants in emergencies, to repeal all acts and parts of acts in conflict herewith, and other matters properly connected therewith. Approved March 23, 1911.	347
169.	An act to enable the unincorporated cities and towns of the State of Nevada to acquire by construction, purchase or otherwise, sewerage systems, light systems, water systems, or combined water and light systems, or combined water, light and sewerage systems, and to issue bonds for the construction or purchase of the same, and to provide for the fixing and collections of rates for the service thereof and other matters relating thereto. Approved March 23, 1911.	348
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171.	An act relating to contracts and patents for state lands, and matters pertaining thereto. Approved March 24, 1911.	355
172.	An act providing for the appointment of road supervisors in counties polling three thousand votes or over, for the subdivision of said counties into road districts, and matters properly relating thereto, and to repeal all other acts and parts of acts in conflict therewith. Approved March 24, 1911.	355
173.	An act authorizing the purchase and placing in the office of the clerk of the Supreme Court of the State of Nevada, steel filing-cases in which to place, store and file all the records and files of actions now being and contained in said office, and to properly catalogue all of said files and records before placing in said cases. Approved March 24, 1911.	366
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177.	An act requiring railways to give public notice of live stock killed or injured by their locomotives or cars, providing a penalty for failing or neglecting to do so. Approved March 24, 1911.	358
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180.	An act to amend an act entitled "An act to provide for the publication of the decisions of the supreme court of the State of Nevada and such other official advertising as is required by the state," approved March 29, 1907. Approved March 24, 1911.	360

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183.	An act determining certain employments and industries to be especially dangerous, establishing a system of compensation for accidents to workmen engaged therein, requiring employers or contractors carrying on such industries to pay compensation, entitling injured workmen or their legal representatives to receive such compensation, fixing the amount of same and the manner of payment, fixing the time within which claims for compensation must be made, prescribing the manner and method of giving notice to such owner or contractor of such accident, providing for the manner of settling disputed claims, by arbitration, providing for their final determination by courts of justice, and granting to courts of justice certain additional powers in proceedings under this act, determining what persons shall be liable under this act. Approved March 24, 1911	362
184.	An act to amend an act entitled "An act to create the office of road inspector, and to provide for work on public roads and to limit the compensation therefor," approved February 27, 1897. Approved March 24, 1911	368
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189.	An act to amend section 1 of "An act to regulate the fees and compensation of the county clerk of Washoe County, State of Nevada, and to repeal all other acts or parts of acts in conflict herewith," approved March 23, 1909. Approved March 25, 1911	374
190.	An act to amend section thirty-six of an act entitled "An act providing for the incorporation of cities, their classification, the establishment and alteration of their boundaries, the government and disincorporation thereof, and repealing all acts and parts of acts in conflict therewith," approved March 27, 1907. Approved March 25, 1911	374
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193.	An act to amend an act entitled "An act to regulate railroads, telegraph and telephone companies and other common carriers in this state, creating a railroad commission, constituting the governor, the lieutenant-governor, and the attorney-general a railroad board for the appointment and the removal of the railroad commissioners, prevent the imposition of unreasonable rates, prevent unjust discrimination, insure an adequate railway service and fixing maximum freight charges," approved March 5, 1907, as amended March 20, 1909. Approved March 27, 1911	376

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195.	An act to amend an act entitled an act to amend "An act entitled 'An act regulating the practice of medicine, surgery and obstetrics in the State of Nevada; providing for the appointment of a state board of medical examiners and defining their duties; providing for the issuing of licenses to practice medicine; defining the practice of medicine; defining certain misdemeanors and providing penalties, and repealing all other acts, or parts of acts, in conflict therewith,' approved March 4, 1905," approved March 20, 1907. Approved March 27, 1911	380
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197.	An act to amend certain sections of an act entitled "An act relating to children who are now or who may hereafter become dependent, neglected or delinquent, to define these terms and to provide for the treatment, control, maintenance, protection, adoption and guardianship of the person of such child or children," approved March 24, 1909. Approved March 27, 1911	382
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199.	An act to create a state board of health, defining their duties, prescribing the manner of the appointments of its officers, fixing their compensation, making an appropriation for the support of said board, establishing county boards of health, requiring certain statements to be filed, defining certain misdemeanors and providing penalties therefor and other matters relating thereto. Approved March 27, 1911	392
200.	An act to provide for the relief of Guy Gulnan. Approved March 27, 1911	402
201.	An act to amend an act entitled "An act creating the office of Inspector of mines; fixing his duties and powers; providing for the appointment of a deputy and fixing the compensation of both; requiring certain reports and notices of accidents to be made to said inspector, and defining the duties of the attorney-general and district attorneys in relation to suits instituted by the Inspector of mines," approved March 24, 1909, by amending section 5 and by adding additional sections thereto. Approved March 27, 1911	402
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203.	An act to provide a temporary structure for the preservation and exhibition of the library, manuscripts, museum and collections of the Nevada Historical Society. Approved March 28, 1911	411
204.	An act to amend an act entitled "An act to promote the public safety by requiring railroad companies to provide adequate train crews, and defining such crews, and prescribing a penalty for the violation of the provision thereof," approved February 21, 1911. Approved March 28, 1911	412
205.	An act to repeal certain obsolete acts and to specifically repeal certain acts heretofore repealed by implication. Approved March 17, 1911	413

RESOLUTIONS AND MEMORIALS

TWENTY-FIFTH SESSION, 1911

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6.	Senate Joint and Concurrent Resolution No. 4, authorizing the appointment of a joint committee of five to investigate the conduct of the state board of prison commissioners. Approved February 6, 1911	449
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LIST OF OFFICERS

NATIONAL DEPARTMENT, JUDICIAL DEPARTMENT, DISTRICT JUDGES,
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PARDONS, STATE INSTITUTIONS, BOARDS AND COMMISSIONS, AND
APPOINTED OFFICERS, AT THE TIME THESE LAWS WERE PASSED.

NATIONAL DEPARTMENT

Name	Official position	P. O. address
Newlands, Francis G.	United States Senator .....	..... Reno
Nixon, Geo. S.	United States Senator .....	..... Reno
Roberts, E. E.	Representative in Congress .....	..... Carson City

JUDICIAL DEPARTMENT

Name	Official position	P. O. address
Sweeney, James G.	Chief Justice Supreme Court .....	..... Carson City
Talbot, G. F.	Associate Justice Supreme Court .....	..... Carson City
Norcross, F. H.	Associate Justice Supreme Court .....	..... Carson City
Baker, C. H.	Attorney-General .....	..... Carson City
Josephs, Joe	Clerk, Supreme Court .....	..... Carson City
Regan, Ed.	Bailiff, Supreme Court .....	..... Carson City
Richards, J. E.	Official Reporter .....	..... Carson City

DISTRICT JUDGES

Name	Official position	P. O. address
Langan, F. P.	Judge First Judicial District .....	..... Virginia City
Moran, T. F.	Judge Second Judicial District .....	..... Reno
Orr, J. S.	Judge Second Judicial District .....	..... Reno
Breen, Peter	Judge Third Judicial District .....	..... Eureka
Taber, E. J. L.	Judge Fourth Judicial District .....	..... Elko
Averill, Mark R.	Judge Fifth Judicial District .....	..... Tonopah
Ducker, Edward A.	Judge Sixth Judicial District .....	..... Winnemucca
Somers, P. J.	Judge Seventh Judicial District .....	..... Goldfield
French, L. N.	Judge Eighth Judicial District .....	..... Fallon
Coleman, B. W.	Judge Ninth Judicial District .....	..... Ely

LEGISLATIVE DEPARTMENT

SENATE

HON. GILBERT C. ROSS, *President*; HON. CLAY TALLMAN, *President pro tem.*

Name	County	P. O. address
Dolf, Thomas	Churchill	Fallon
Bergman, George	Clark	Nelson
Coryell, H. H.	Elko	Wells
Jones, Henry J.	Elko	Elko
Balzar, F. B.*	Esmeralda	Mina
Heffernan, W. F.	Esmeralda	Goldfield
Sweeney, W. H.	Eureka	Pailsade
Mack, Maurice	Douglas	Minden
Carpenter, L. N.*	Humboldt	Lovelock
Bell, W. J.	Humboldt	Winnemucca
Miller, J. A.	Lander	Austin
Syphus, Levi*	Lincoln	St. Thomas
Reymers, B. H.*	Lyon	Yerington
Tallman, Clay*	Nye	Rhyolite
Kendall, Zeb*	Nye	Tonopah
Mills, George T.	Ormsby	Carson City
Tannahill, Alex L.	Storey	Virginia City
Holmes, A. W.*	Washoe	Reno
Aacher, J. A.	Washoe	Sparks
House, A. C.*	White Pine	Ely

*Hold-over Senators from last session.

Senators are elected for four years and assemblymen for two years. Sessions are biennial, convening third Monday of January of odd-numbered years—January 16, 1911. Duration of session, sixty days. Salary, \$10 per day, not to exceed \$600, and 15 cents per mile for each mile traveled; also \$20 for newspapers and stationery.

SENATE OFFICERS AND ATTACHÉS

Name	Official position	County from
Finch, James D.	Secretary	Ormsby
Hilp, Sol	Assistant Secretary	White Pine
Pittman, Vail	Sergeant-at-Arms	Nye
Graves, James S.	Assistant Sergeant-at-Arms	Esmeralda
Sparks, H. H.	Minute Clerk	Clark
Coogan, Harry	Assistant Minute Clerk	Esmeralda
Johnson, Adams H.	Journal Clerk	Eureka
Tanner, Jessie	Assistant Journal Clerk	Elko
Armstrong, Viola	Engrossing Clerk	Elko
Syphus, Clara M.	Assistant Engrossing Clerk	Lincoln
Black, Carrie	Enrolling Clerk	Churchill
Wightman, Mrs. E. M.	Assistant Enrolling Clerk	Humboldt
Ruddell, Ruth	Copying Clerk	Humboldt
Mahoney, Miss Marietta	Assistant Copying Clerk	Storey
Torreyson, Mrs. J. D.	Committee Clerk	Washoe
Jordan, M. F.	Committee Clerk	Washoe
Wise, A.	Committee Clerk	Lander
Keith, Geo. W.	Committee Clerk	Ormsby
Rutherford, Mildred	Committee Clerk	Humboldt
Lindsay, J. B.	Bill Clerk	Nye
Clancy, Belle	Stenographer	Washoe
Sadler, Clarence	Messenger	Ormsby
Farrell, Mike	Porter	Ormsby
Crow, Fred	Page	Ormsby
Stotenburg, Eddie	Page	Storey

LIST OF OFFICERS

XXIII

ASSEMBLY

HON. A. C. FROHLICH, *Speaker*; HON. KENNETH J. BOOTH, *Speaker pro tem*.

Name	County	P. O. address
Williams, W. H.	Churchill	Fallon
Merritt, A. R.	Churchill	Fallon
Jones, Willard L.	Clark	Overton
Donahoue, James T.	Clark	Las Vegas
Fay, George	Douglas	Sheridan
McBride, A. G.	Elko	Elko
McIntosh, George	Elko	Carlin
Miller, Peter S.	Elko	Elko
Schoer, J. J.	Elko	Wells
Arnold, E. J.	Esmeralda	Goldfield
Bradshaw, Mark G.	Esmeralda	Hawthorne
Byrne, J. F.	Esmeralda	Blair
Malloy, J. H.	Esmeralda	Rawhide
Price, Al F.	Esmeralda	Rawhide
Sullivan, James T.	Esmeralda	Lucky Boy
Mau, W. F.	Eureka	Eureka
Plummer, T. F.	Eureka	Palisade
Staunton, W. E.	Humboldt	Winnemucca
Kendall, J. E.	Humboldt	National
Robins, C. E.	Humboldt	Winnemucca
Kemm, W. E.	Lander	Austin
Coppernoll, W. D.	Lander	Austin
Coxe, George E.	Lincoln	Pioche
Denton, J. A.	Lincoln	Callente
Fallon, Ira T.	Lyon	Yerington
Stickney, F. O.	Lyon	Yerington
Wilson, E. P.	Nye	Tonopah
Shilling, W. I.	Nye	Tonopah
Booth, Kenneth J.	Nye	Tonopah
Piercy, J. C.	Nye	Tonopah
Hacker, W. L.	Nye	Round Mountain
Schmidt, Henry C.	Nye	Tonopah
Fitzgerald, D. J.	Nye	Tonopah
Evans, Wallace N.	Ormsby	Carson City
Meder, Frank E.	Ormsby	Carson City
Salter, Thomas J.	Ormsby	Carson City
Drysdale, George H.	Storey	Virginia City
Bulmer, H. B.	Storey	Virginia City
O'Connor, T. W.	Storey	Virginia City
Cocks, J. H.	Storey	Virginia City
Ayres, Albert D.	Washoe	Reno
Byington, Frank J.	Washoe	Reno
Campbell, J. E.	Washoe	Reno
Frohligh, A. C.	Washoe	Reno
Mayers, Frank B.	Washoe	Reno
Jones, W. D.	Washoe	Reno
White, Fred L.	Washoe	Reno
Enslow, W. S.	White Pine	East Ely
Fulmer, J. H.	White Pine	East Ely

For salaries, etc., see Senate.

ASSEMBLY OFFICERS AND ATTACHÉS

Name	Official position	County from
Morton, Dan E.	Chief Clerk	Ormsby
Wilson, J. S.	Assistant Chief Clerk	Nye
Booth, C. L.	Sergeant-at-Arms	Nye
Edwards, Gar.	Assistant Sergeant-at-Arms	Storey
Cahalan, J. A.	Minute Clerk	Esmeralda
Sciuchetti, Miss Lena	Assistant Minute Clerk	Lander

ASSEMBLY OFFICERS—Continued

Lee, M. L.	Journal Clerk	Lincoln
Cooper, Miss M.	Assistant Journal Clerk	Esmeralda
Stewart, Miss Mabel	Engrossing Clerk	Humboldt
Harris, Miss Clara B.	Assistant Engrossing Clerk	Lyon
Jackson, Austin	Enrolling Clerk	White Pine
Huebner, Villa	Assistant Enrolling Clerk	Eureka
Cohn, Henry	Copying Clerk	Washoe
Thompson, Miss Eva	Assistant Copying Clerk	Elko
Peck, J. C.	Bill Clerk	Nye
O'Connor, Miss Katie	Committee Clerk	Storey
Drysdale, Miss May	Committee Clerk	Storey
Stoddard, Miss Kate	Committee Clerk	Storey
Cox, Edward I.	Committee Clerk	Clark
Allen, Miss Alma	Committee Clerk	Churchill
Trousdale, Mrs. Laura	Committee Clerk	Humboldt
Mitchell, Mrs. Alice E.	Stenographer	Washoe
Regli, Benj. R.	Messenger	White Pine
Meder, Lew	Page	Ormsby
Slingerland, James	Page	Ormsby
Smith, Richard	Porter	Ormsby
Price, A.	Assistant Porter	Ormsby

EXECUTIVE DEPARTMENT

Name	Official position	P. O. address
Oddie, T. L.	Governor	Carson City
Ross, G. C.	Lieutenant-Governor	Carson City
Brodigan, Geo.	Secretary of State	Carson City
Eggers, J.	State Controller	Carson City
McMillan, W.	State Treasurer	Carson City
Deady, C. L.	Surveyor-General and State Land Register	Carson City
Baker, C. H.	Attorney-General	Carson City
Farnsworth, Joe	Superintendent of State Printing	Carson City
Brodigan, Geo.	Librarian (ex officio)	Carson City
Ryan, Edward	Inspector of Mines	Carson City
Bray, John Edwards	Superintendent of Public Instruction	Carson City
Reid, H. E.	Regent State University (long term)	Reno
Henderson, C. B.	Regent State University (long term)	Elko
O'Brien, J. W.	Regent State University (short term)	Sparks
Codd, A. A.	Regent State University (hold-over)	Goldfield
Williams, F. W.	Regent State University (hold-over)	Good Springs

BOARD OF PARDONS

Name	Official position	P. O. address
Oddie, T. L.	Governor	Carson City
Sweeney, J. G.	Chief Justice Supreme Court	Carson City
Talbot, G. F.	Associate Justice Supreme Court	Carson City
Norcross, F. H.	Associate Justice Supreme Court	Carson City
Baker, C. H.	Attorney-General	Carson City
Jackson, Austin	Clerk	Carson City

STATE INSTITUTIONS

STATE PRINTING OFFICE

Name	Official position	P. O. address
Farnsworth, Joe.....	Superintendent of State Printing.....	Carson City
Mackey, Will U.....	Foreman.....	Carson City

UNIVERSITY OF NEVADA

RENO, NEVADA

Name	Official position
Joseph Edward Stubbs, M.A., LL.D., D.D.....	President
Robert Lewers.....	Vice-President; Professor of Political Economy; Principal of Commercial School
Charles Haseman.....	Professor of Mechanics and Mathematics
James E. Church, Ph.D.....	Latin Language and Literature
Laura de Laguna, B.A.....	Professor of Modern Languages
Herbert W. Hill, B.L., Ph.M.....	Professor English Language and Literature
Peter Frandsen, A.M.....	Professor of Biology
P. B. Kennedy, Ph.D.....	Professor of Botany, Horticulture and Forestry
George J. Young, B.S.....	Professor of Mining and Metallurgy
Jeanne Elizabeth Wier, B.A.....	Professor of History
Samuel B. Doten, B.A.....	Professor of Entomology
Romanzo Adams, Ph.D.....	Professor of Education and Sociology
Carl Alfred Jacobson.....	Professor of Agricultural Chemistry
Gordon H. True, B.S.....	Professor of Agriculture and Animal Husbandry
Jas. G. Scrugham, B.M., M.E.....	Professor of Mechanical Engineering
Lowe Abeel McClure.....	Professor Military Science and Tactics
W. S. T. Smith, B.L., Ph.D.....	Professor Geology and Mineralogy
J. C. Watson, Ph.D.....	Professor of Greek
A. W. C. T. Herre, Ph.D.....	Acting Professor of Biology
Oscar P. Johnstone, M.D.....	Associate Professor of Physiology and Hygiene
H. P. Boardman, B.S.....	Professor of Civil Engineering
Leon W. Hartman, Ph.D.....	Professor of Physics
Maxwell Adams, Ph.D.....	Professor of Chemistry
R. C. Thompson.....	Professor and Principal of High School
Winfred B. Mack, D.V.M.....	Professor of Bacteriology and Veterinary Science
Kate Bardenwerper, B.S.....	Assistant Professor in Domestic Science
Sanford C. Dinsmore, B.S.....	Assistant Professor of Agricultural Chemistry
J. Claude Jones, A.B.....	Assistant Professor of Geology and Mineralogy
Richard Brown.....	Superintendent of Buildings and Grounds and Master of Lincoln Hall
George Ordahl, Ph.D.....	Assistant Professor of Psychology and Education
Charles S. Knight.....	Assistant Professor of Agronomy
Carl Sawvell.....	Instructor in Vocal Music
Katherine Lewers.....	Instructor in Freehand Drawing
Katherine Riegelbuth, B.A.....	Instructor in German
A. C. Gough, B.M.E.....	Instructor in Mechanical Engineering
G. S. Paine, Ph.M.....	Instructor in English
Emily Berry, B.A.....	Instructor in English and History
Walter S. Palmer.....	Assistant in Mining and Geology
C. L. Brown.....	Assistant in Biology
Joseph D. Layman, B.L.....	Librarian
Alice E. Armstrong.....	Assistant Librarian
Louise M. Sissa.....	Assistant Registrar
Mrs. A. E. Kaye.....	Mistress of Manzanita Hall
Mrs. May E. Porter.....	Matron of University Hospital
Miles Bryce Kennedy.....	Assistant in Chemistry and in Food and Drug Control
A. M. Heller.....	Instructor in Botany
Carolyn M. Beckwith.....	Secretary to the President
Silas Earl Ross.....	Instructor in High School
Margaret Mack.....	Instructor in Mathematics
Helen Ann Meighan.....	Director Physical Training for Women

LIST OF OFFICERS
STATE ORPHANS' HOME

Name	Official position	P. O. address
McKinnon, J. E.	Superintendent	Carson City
McKinnon, Mrs. J. E.	Matron	Carson City
Sullivan, Miss Jo	Teacher	Carson City
Doane, Miss Amy	Assistant Teacher	Carson City

STATE PRISON

Name	Official position	P. O. address
Baker, Ray T.	Warden	Carson City
Muller, Joseph	Captain of the Guard	Carson City
Griffiths, J. J.	Clerk	Carson City

STATE AGRICULTURAL EXPERIMENT DRY FARM
PLEASANT VALLEY, ELKO COUNTY

Name	Official position	P. O. address
True, Gordon H.	Member of Board of Control	Reno
Bowers, G. M.	Member of Board of Control	Elko
Hesson, A. W.	Member of Board of Control	Elko

NEVADA HOSPITAL FOR MENTAL DISEASES

Name	Official position	P. O. address
Gibson, S. C.	Superintendent	Reno
Bingham, E. L.	Supervisor	Reno

NEVADA STATE POLICE

Name	Official position	P. O. address
Donnelly, J. P.	Superintendent	Carson City
Cahlan, A. W.	Inspector	Carson City

STATE ENGINEER'S OFFICE

Name	Official position	P. O. address
Kearney, W. M.	State Engineer	Carson City
Von Nagell, J. R.	Assistant State Engineer	Carson City
McKay, R. A.	Clerk, State Engineer's office.	Carson City
Huelle, H. R.	Draughtsman, State Engineer's office	Carson City
Crowell, Ray B.	Field Engineer	Carson City

BOARDS AND COMMISSIONS

STATE BOARD OF EXAMINERS

Name	Official position	P. O. address
Oddie, T. L.	Governor	Carson City
Brodigan, Geo.	Secretary of State	Carson City
Baker, C. H.	Attorney-General	Carson City
Cowing, Geo. W.	Clerk of the Board	Carson City

BOARD OF STATE PRISON COMMISSIONERS

Name	Official position	P. O. address
Oddie, T. L.	Governor	Carson City
Brodigan, Geo.	Secretary of State	Carson City
Baker, C. H.	Attorney-General	Carson City
Cowing, Geo. W.	Clerk of the Board	Carson City

RAILROAD COMMISSION AND PUBLIC SERVICE COMMISSION

Name	Official position	P. O. address
Bartine, H. F.	Chief Commissioner	Carson City
Shaughnessy, J. F.	First Associate Commissioner	Carson City
Simmons, W. H.	Second Associate Commissioner	Reno
Walker, E. H.	Secretary	Carson City

STATE BANKING BOARD

Name	Official position	P. O. address
Oddie, T. L. (Governor)	Chairman	Carson City
Graham, Wm. B.	Member	Ely
McBride, J. A.	Member	Elko
Reid, H. E.	Member	Reno
Howell, Eugene.	Bank Examiner	Carson City
Raycraft, Arthur	Deputy Bank Examiner	Carson City

BUREAU OF INDUSTRY, AGRICULTURE AND IRRIGATION

Name	Official position	P. O. address
Oddie, T. L. (Governor)	Chairman	Carson City
Norcross, C. A.	Commissioner of Industry, Agriculture and Irrigation	Carson City
Deady, C. L.	Register Carey Act Lands	Carson City
Baker, C. H.	Attorney-General	Carson City
Kearney, W. M.	State Engineer	Carson City
Morton, D. E.	Clerk	Carson City

STATE BOARD OF AGRICULTURE

Name	Official position	P. O. address
Sadler, C. J.	President	Reno
Ray, L. O.	Director	Jarbridge
Hunter, Thos.	Director	Elko
Williams, Frank	Director	Good Springs
Folsom, Frank	Director	Reno
Shane, Dolph	Director	Reno
Wheeler, D. C.	Director	Reno
Dromiack, Alex.	Director	Reno
O'Neil, Jas.	Director	Reno
Regan, Frank	Director	Carson City
Bell, W. J.	Director	Winnemucca
Richardson, T. F.	Director	Fallon
Drappo, E. L.	Director	Reno
Maynor, R. F.	Director	Sparks
Phillips, W. D.	Secretary	Reno

STATE BOARD OF EMBALMERS

Name	Official position	P. O. address
Kitzmeyer, G. E.	Member	Carson City
Dunn, T. F.	Member	Goldfield
Keyser, J. L.	Member	Elko

STATE BOARD OF FISH COMMISSIONERS

Name	Official position	P. O. address
Mills, Geo. T.	President	Carson City
Yerington, E. B.	Member	Carson City
Clark, James	Member	Reno

STATE BOARD OF SHEEP COMMISSIONERS

Name	Official position	P. O. address
Ward, Olin	President	Reno
Taylor, J. G.	Commissioner	Lovelock
Bradley, L. L.	Commissioner	Elko
Jacobs, J. O.	Secretary	Reno

RAILROAD BOARD

Name	Official position	P. O. address
Oddie, T. L.	Governor	Carson City
Baker, C. H.	Attorney-General	Carson City
Ross, Gilbert C.	Leutenant-Governor	Carson City

LIST OF OFFICERS

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STATE BOARD OF PHARMACY

Name	Official position	P. O. address
Hodgkinson, Samuel	President	Reno
Steinmetz, F. J.	Secretary	Carson City
Brown, Wm. A.	Member	Winnemucca
Cole, A. M.	Member	Virginia City
Taber, Joseph	Member	Elko

STATE PRINTING COMMISSIONERS

Name	Official position	P. O. address
Brodigan, Geo.	Secretary of State	Carson City
Eggers, J.	State Controller	Carson City
McMillan, Wm.	State Treasurer	Carson City
Doane, Jonathan	Clerk	Carson City

STATE BOARD OF EDUCATION

Name	Official position	P. O. address
Oddie, T. L.	Governor	Carson City
Stubbs, J. E.	President University of Nevada.	Reno
Bray, J. E.	Superintendent of Public Instruction.....	Carson City

STATE CAPITOL COMMISSIONERS

Name	Official position	P. O. address
Oddie, T. L.	Governor	Carson City
Brodigan, Geo.	Secretary of State	Carson City
Eggers, J.	State Controller.....	Carson City
McMillan, Wm.	State Treasurer	Carson City
Ross, Gilbert C.	Lieutenant-Governor	Carson City
Jackson, Austin	Secretary	Carson City

STATE ORPHANS' HOME DIRECTORS

Name	Official position	P. O. address
McMillan, Wm.	State Treasurer	Carson City
Deady, C. L.	Surveyor-General	Carson City
Bray, J. E.	Superintendent of Public Instruction	Carson City

LIST OF OFFICERS

COMMISSIONERS FOR CARE OF INDIGENT INSANE

Name	Official position	P. O. address
Oddie, T. L.	Governor	Carson City
Eggers, J.	State Controller	Carson City
McMillan, Wm.	State Treasurer	Carson City

STATE BUREAU OF IMMIGRATION

Name	Official position	P. O. address
Eggers, J.	State Controller	Carson City
Deady, C. L.	Surveyor-General	Carson City
Bray, J. E.	Superintendent of Public Instruction	Carson City

STATE BOARD OF HEALTH

Name	Official position	P. O. address
Lee, S. L.	Commissioner	Carson City
Pope, G. F.	Commissioner	Battle Mountain
Sullivan, J. J.	Commissioner	Virginia City

STATE BOARD OF MEDICAL EXAMINERS

Name	Official position	P. O. address
Circé, W. J.	Member	Carson City
Lee, S. L.	Secretary	Carson City
Lewis, J. A.	Member	Reno
Richardson, R. H.	President	Ely
Sullivan, J. J.	Member	Virginia City

STATE BOARD OF DENTAL EXAMINERS

Name	Official position	P. O. address
Rullison, D. W.	President	Reno
Goode, W. W.	Secretary	Carson City
Caveil, W. H.	Member	Carson City
Davis, Elton	Member	Tonopah
Wadleigh, W. M.	Member	Ely

MILITARY AUDITORS

Name	Official position	P. O. address
Oddie, T. L.	Governor	Carson City
Ross, G. C.	Lieutenant-Governor	Carson City
Eggers, J.	State Controller	Carson City

LIST OF OFFICERS

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BOARD OF IRRIGATION

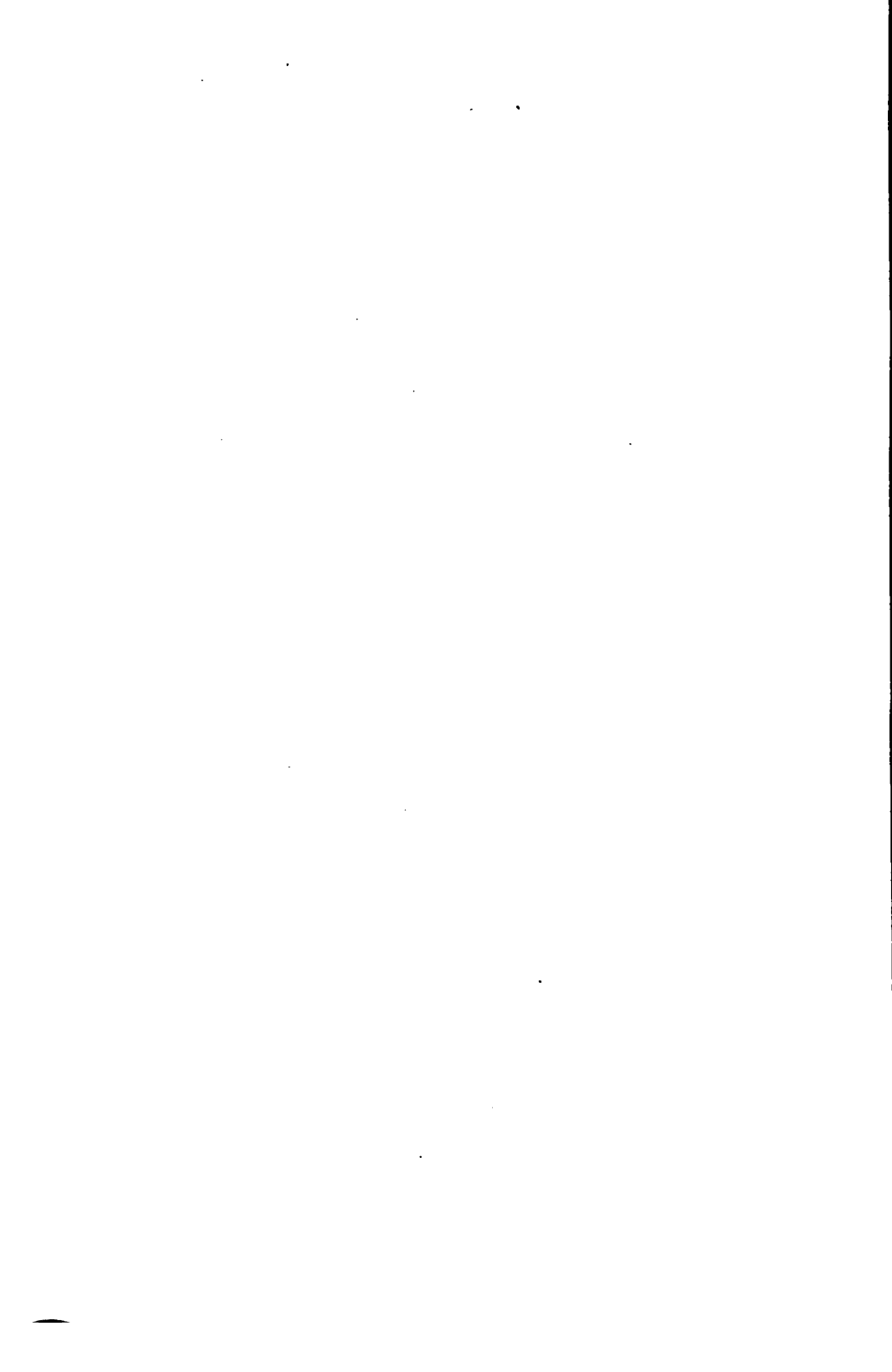
Name	Official position	P. O. address
Oddie, T. L.	Governor (Chairman)	Carson City
Deady, C. L.	Surveyor-General	Carson City
Baker, C. H.	Attorney-General	Carson City
Kearney, W. M.	State Engineer (Secretary)	Carson City

DEPUTY SUPERINTENDENTS OF PUBLIC INSTRUCTION

District	Counties	Name	P. O. address
No. 1.	Elko	G. E. Anderson	Elko
No. 2.	Eureka, Lander and White Pine	A. B. Lightfoot	Ely
No. 3.	Humboldt and Churchill	J. F. Abel	Winnemucca
No. 4.	Washoe, Ormsby, Storey, Lyon, Douglas, and Mineral	Robt. H. Mitchell	Sparks
No. 5.	Lincoln, Nye, Clark, and Esmeralda	J. G. McKay	Las Vegas

MISCELLANEOUS

Name	Official position	P. O. address
Ross, Gilbert C.	Adjutant-General, ex officio	Carson City
Jackson, Austin	Governor's Private Secretary	Carson City
Cowing, Geo. W.	Deputy Secretary of State	Carson City
Vanderlieth, E. D.	Deputy State Treasurer	Carson City
Doane, Jonathan	Deputy State Controller	Carson City
Day, S. H.	Deputy Surveyor-General	Carson City
Judge, Jas. R.	Deputy Attorney-General	Carson City
Guinan, Guy	Deputy Clerk of Supreme Court	Carson City
Gaughan, James W.	Deputy Inspector of Mines	Goldfield
Pyne, Frank	Assistant State Librarian	Carson City
Adamson, L. F.	State License and Bullion Tax Agent	Carson City
Wood, Gladys	Clerk, Secretary of State's office	Carson City
Barkley, Dell	Typist, Secretary of State's office	Carson City
Hannan, Alice	Typist, Secretary of State's office	Carson City
Gilson, Maud	Typist, Secretary of State's office	Carson City
Edwards, Louise W.	Clerk in State Library	Carson City
McMillan, Margaret	Clerk in State Treasurer's office	Carson City
Eggers, Mrs. J.	Stenographer, State Controller's office	Carson City
Sadler, Bertha	Typist in State Land office	Carson City
Noteware, M. D.	Clerk in State Land office	Carson City
Deady, A. B.	Clerk in State Land office	Carson City
Lotz, Thos. A.	Draughtsman in State Land office	Carson City
Souchereau, Edna.	Stenographer for Supreme Court	Carson City
Milligan, Nellie B.	Stenographer for Supreme Court	Carson City
Barkley, Irene	Stenographer for Attorney-General	Carson City
Smith, D. T.	Principal Virginia City Mining School	Virginia City
Bray, Mrs. J. E.	Stenographer, Superintendent of Public Instruction	Carson City
Clark, A. W.	Engineer, Library Building	Carson City
Newman, A. J.	Janitor, Capitol Building	Carson City
Muller, E. V.	Gardener, Capitol Grounds	Carson City
Grant, A. D.	Night Watchman, Capitol Building	Carson City



LAWS OF THE STATE OF NEVADA

LAWS OF THE STATE OF NEVADA

PASSED AT THE

TWENTY-FIFTH SESSION OF THE LEGISLATURE

1911

CHAPTER 1—*An act to create a legislative fund.*

[Approved January 23, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. For the purpose of paying the mileage and the per diem of members of the present legislature, the salaries of the attachés and the incidental expenses of the respective houses thereof, the state treasurer is hereby authorized and required to set apart from any money now in the general fund not otherwise especially appropriated, the sum of fifty-five thousand dollars (\$55,000), which shall constitute the legislative fund. Legislative fund created

SEC. 2. The state controller is hereby authorized and required to draw his warrants on said fund in favor of the members and attachés of the senate and assembly, for per diem, mileage, stationery allowances, compensation and incidental expenses of the respective houses, when properly certified to, in accordance with law, and the state treasurer is hereby authorized and required to pay the same. Controller and treasurer, duties of

SEC. 3. All moneys remaining in said fund, at the adjournment of the legislature, shall revert to the general fund.

CHAP. 2—*An act to repeal an act entitled "An act to require the acceptance and collection of grants, devises, bequests, donations and assignments to the State of Nevada," approved February 26, 1901.*

[Approved January 27, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. That the act entitled "An act to require the acceptance and collection of grants, devises, bequests, dona- Repeal

tions and assignments to the State of Nevada," approved February 26, 1901, be, and the same is hereby, repealed.

CHAP. 3—*An act to provide chaplains for the legislature of the State of Nevada.*

[Approved February 1, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The senate and assembly of the State of Nevada may invite ministers of the different religious denominations to officiate alternately as chaplains of their respective houses, at a compensation of five dollars per day, to be paid out of the legislative fund at the same time and in the same manner as other payment for services to said houses are made.

SEC. 2. The state controller is hereby authorized to draw his warrant for the payment of the compensation provided herein and the state treasurer is hereby authorized and directed to pay the same.

SEC. 3. All acts and parts of acts in conflict with this act are hereby repealed.

CHAP. 4—*An act fixing and regulating the salaries and fees of the justice of the peace and constable of Gerlach Township, Washoe County, Nevada, and providing for the payment of the same.*

[Approved February 1, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. From and after the approval of this act, the justice of the peace of Gerlach Township, Washoe County, Nevada, and the constable of said township shall each be allowed a salary and fees as follows: The justice of said township, nine hundred dollars per annum, payable in twelve monthly installments of seventy-five dollars each; and the constable of said township, nine hundred dollars per annum, payable in twelve monthly installments of seventy-five dollars each.

SEC. 2. In addition to the salaries specified in the preceding section, the said officers shall be entitled to collect and retain the fees, in civil cases only, as are now provided by law.

SEC. 3. The board of county commissioners of Washoe County, Nevada, shall allow the salaries named in section 1 of this act, as other salaries are allowed, and the county auditor shall draw his warrants for the same, and the county treasurer shall pay the same. Commissioners to allow salaries

CHAP. 5—*An act to amend section 1 of an act entitled "An act to amend article V of an act entitled 'An act to incorporate the town of Reno, and to establish a city government therefor,' approved March 16, 1903," as amended March 13, 1905, and further amended March 28, 1907, and further amended March 31, 1909.*

[Approved February 1, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of the above-entitled act is hereby amended to read as follows:

Section 1. There shall be a city attorney, who shall be elected by the qualified electors of the city at each general city election and he shall hold office for the term of two years and until his successor shall have been duly elected and qualified. No person not a licensed and practicing attorney of the supreme court of this state, in good standing at the bar, a bona fide resident of the city and a taxpayer therein, shall be eligible to the office of the city attorney. Reno city attorney, salary of

SEC. 2. All acts and parts of acts in conflict herewith are hereby repealed. Repeal

SEC. 3. This act shall take effect immediately upon its approval. In effect

CHAP. 6—*An act to amend an act entitled "An act fixing the number of officers and attachés of the legislature of the State of Nevada, and to define their duties and specify their pay and repeal all acts in conflict therewith," approved January 27, 1909.*

[Approved February 2, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of said act, approved January 27, 1909, is hereby amended so as to read as follows:

Section 1. The officers and attachés of the senate shall consist of one secretary, one assistant secretary, one sergeant-at-arms, one assistant sergeant-at-arms, one minute clerk, one assistant minute clerk, one journal clerk, one assistant journal clerk, one engrossing clerk, one assistant engrossing clerk, one enrolling clerk, one assistant enrolling clerk, one copying clerk, Officers and attachés of legislature

one assistant copying clerk, one bill clerk, five committee clerks, one stenographer, one messenger, two pages, and one porter.

SEC. 2. Section three is hereby amended to read as follows:

Salaries of
same

Section 3. There shall be paid to the several officers and attachés named in this act, for all services rendered by them under the provisions of this act, the following sums of money and no more:

The secretary of the senate and chief clerk of the assembly shall each receive seven dollars per day; the assistant secretary of the senate and the assistant clerk of the assembly shall each receive six dollars per day; the minute clerk, the assistant minute clerk, the journal clerk, the assistant journal clerk, the engrossing clerk, the assistant engrossing clerk, the enrolling clerk, the assistant enrolling clerk of the senate and assembly shall each receive six dollars per day; the sergeant-at-arms of the senate and of the assembly shall each receive six dollars per day; the assistant sergeant-at-arms, the copying clerk, the assistant copying clerk of the senate and assembly, the committee clerks of the senate and assembly, the bill clerk and stenographer shall each receive six dollars per day; the messenger of the senate and of the assembly shall each receive five dollars per day; the pages of the senate and assembly shall each receive two dollars per day; the porter of the senate and of the assembly, and assistant porter of the assembly shall each receive three dollars per day; *provided, however*, that in case either the senate or the assembly shall organize or act with a less number of attachés than herein provided, such organization or action shall be legal; *and, provided further*, that either the senate or the assembly may, by resolution, increase or diminish the number of its attachés any time during the session, within the limits hereinbefore provided.

CHAP. 7—*An act to provide for copying the journal of the senate for the twenty-fifth session.*

[Approved February 6, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Copying sen-
ate journal

SECTION 1. The sum of two hundred dollars is hereby appropriated out of the legislative fund to be paid to Mrs. W. D. McNeilly for copying the journal of the senate of the twenty-fifth session of the Nevada State Legislature for the state printer.

Secretary of
state to
certify

SEC. 2. Upon a receipt of a certificate from the Honorable George W. Brodigan, secretary of state, that the journal of the senate of the twenty-fifth session of the Nevada State Legislature has been correctly copied and delivered to the secretary of state, the controller shall draw his warrant in favor of the

said Mrs. W. D. McNeilly, named in section one of this act, for the sum of two hundred dollars, and the state treasurer shall pay the same.

CHAP. 8—*An act to provide for the removal of the county-seat of Lyon County from the town of Dayton to the city of Yerington.*

[Approved February 9, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. From and after the first day of May, nineteen hundred and eleven, the county-seat of Lyon County shall be located at the city of Yerington, in said county. Yerington
county-seat
of Lyon
County

SEC. 2. It shall be the duty of the officers of said county, who are required by law to keep their offices at the county-seat, to remove the same to the said city of Yerington one week preceding the first day of May, nineteen hundred and eleven. Duties
of county
officers

SEC. 3. The county commissioners of Lyon County shall provide for the removal of the archives, and all other movable property belonging to said county, and now located at the town of Dayton, to the said city of Yerington; and the said county commissioners are hereby authorized to sell and convey any real or immovable property situated in said town of Dayton, and belonging to said Lyon County. The proceeds from all such sales shall be paid into the county treasury of said county. Records to
be moved

SEC. 4. The board of county commissioners of said Lyon County are hereby authorized and directed to provide for the use of the various officers such buildings, rooms or offices as are required by law. Offices

CHAP. 9—*An act to pay the deficiencies in the appropriation for the State Orphans' Home for the years 1909-1910.*

[Approved February 10, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of four thousand seven hundred and seventy-five dollars and fifty-nine cents (\$4,775.59) is hereby appropriated out of any moneys in the general fund of the state for the payment of deficiencies in the appropriation for the State Orphans' Home for the years 1909 and 1910, as follows: Orphans'
home
deficiencies

Employees, \$967.50; S. Phelan, nurse, \$38; Joe Josephs, \$3.40; Meyers Mercantile Co., \$1,310.01; W. H. Chedic, \$239.50; Otto T. Schulz, \$13.25; Nevada Consolidated Telegraph and Telephone Co., \$3.50; Ed. J. Walsh, \$80.85; The Emporium, \$159.95; T. G. Farrer, \$29.70; C. W. Von Radesky,

Orphans'
home
deficiencies

\$32.50; Burlington Shoe Store, \$348.90; M. Buchianeri, \$43.90; Truckee River General Electric Light Co., \$162.55; W. H. James, \$64.75; Gray, Reid, Wright Co., \$154.41; F. W. Day, \$87.25; J. Hagerty, \$25.75; Mrs. K. A. Raftice, \$31.25; Sierra Nevada Wood and Lumber Co., \$6.19; J. S. Burlingame, 75 cents; C. F. Cutts, \$87.47; Frank Lopez, \$26.60; J. A. Muller, \$21.55; J. C. Tranter, \$50.60; John Muldoon, \$75; Nick Zimmer, \$18; Palace Dry Goods House, \$173.16; E. J. Dwyer, \$52.30; Kitzmeyer Drug Store, \$9; Joseph Smyth, \$45.50; H. Millard, \$13.40; F. M. Baker, \$3.75; Davey & Maish, \$38.25; Andrew Todd, \$7; J. A. Raycraft, \$5; D. G. Kitzmeyer, \$4.50; Virginia and Truckee Railway, fifty cents; Appeal Publishing Co., \$6.90; Carson City News, \$12; F. E. Meder, \$16.25; Ross Lewers, \$21; De Remer Hardware Co., \$7.50; Chris Hanson, \$63.30; American Tea Co., \$4.60; H. A. Brown, \$50; Steve Belli, \$32.50; A. J. Millard, \$2.50; Charles Winter, \$1.50; Carson Bakery, \$7.80; John Catton, \$4.50; T. R. Hofer, Jr., \$1.50; W. H. Cavell, \$104; W. Kayser, \$4; J. R. Bradley Co., 75 cents.

Duties of
controller
and
treasurer

SEC. 2. The state controller is hereby directed to draw his warrant in favor of the persons above named for the several amounts specified in this act, and the state treasurer is hereby directed to pay the same.

CHAP. 10—*An act to amend "An act to segregate certain county offices in White Pine County, State of Nevada, and fixing the salaries, to take effect on the first Monday in January, 1909," approved March 29, 1907.*

[Approved February 9, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

White Pine
County
officers

SECTION 1. Section seven of "An act to segregate certain county offices in White Pine County, State of Nevada, and fixing the salaries, to take effect on the first Monday in January, 1909," approved March 29, 1907, the same being chapter CCIH of the laws of 1907, is hereby amended so as to read as follows:

District
attorney's
salary

Section 7. The district attorney of White Pine County shall receive an annual salary of twenty-five hundred dollars, payable in twelve equal monthly installments, and in the attendance of justices' courts, within the county, for the prosecution of criminal cases, he shall be allowed mileage at the rate of twenty cents for each mile actually traveled, one way only.

CHAP. 11—*An act to amend "An act to segregate certain county offices in White Pine County, State of Nevada, and fixing the salaries, to take effect on the first Monday in January, 1909," approved March 29, 1907.*

[Approved February 8, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section five of "An act to segregate certain county offices in White Pine County, State of Nevada, and fixing the salaries, to take effect on the first Monday in January, 1909," approved March 29, 1907, the same being chapter CCIII of the laws of 1907, is hereby amended so as to read as follows:

White Pine
County
officers

Section 5. The county treasurer shall receive an annual salary of twenty-five hundred dollars in twelve equal monthly payments. He shall have authority to appoint a deputy, whose salary shall be eighteen hundred dollars per annum, and such salary shall be paid in the same manner as the salary of the county treasurer.

County
treasurer's
salary

CHAP. 12—*An act to fix a salary for the constable of the first township, White Pine County, State of Nevada.*

[Approved February 9, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The county commissioners of White Pine County, State of Nevada, from and after the passage of this act, shall pay to the constable of the first township, of said county, the sum of one hundred and fifty dollars, monthly, as a salary, as compensation in full for all services rendered, or performed, by said constable and they are hereby authorized, and directed, to make an appropriation from the funds of said county to pay said salary.

Constable,
first town-
ship, White
Pine County,
salary of

SEC. 2. Said constable shall turn into the treasury of said county, at least once in each month, and on or before, the second Monday of each month, all fees collected by him, and said fees shall become a part of the general funds of said county, subject to appropriation and use by the board of county commissioners thereof.

All fees
turned into
treasury

CHAP. 13—*An act creating and organizing the county of Mineral out of a portion of Esmeralda County, and providing for its government, and to regulate the affairs of Esmeralda County and Mineral County.*

[Approved February 10, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Mineral
County
created

Boundaries

Hawthorne
county-seat

Governor to
appoint
county com-
missioners

Commission-
ers to
organize and
appoint clerk

Duties of
clerk

SECTION 1. The county of Mineral is hereby erected out of the following territory, to wit: All that portion of Esmeralda County lying northerly of a line drawn, commencing at the intersection of the Mount Diablo base line with the Von Schmidt's survey of the boundary line between Nevada and California, running thence east to the southeast corner of township one north, range thirty-two east on said Mount Diablo base line; thence northeasterly to the southwest corner of township seven north, range thirty-eight east, Mount Diablo base and meridian; thence continuing in the same direction intersecting the boundary line between the counties of Nye and Esmeralda, which said territory is hereby detached and set aside from Esmeralda County, and the county of Mineral erected therefrom.

SEC. 2. The place known officially as Hawthorne, being the town and postoffice of Hawthorne, is hereby designated and made the county-seat of Mineral County, at which place shall be maintained the county and judicial offices, and the necessary county buildings.

SEC. 3. It shall be the duty of the governor, within ten days after this act shall have taken effect, to appoint three citizens of the United States, who are also citizens of the State of Nevada, and residents of Mineral County, not more than two of whom shall be of the same political faith, to serve as a board of county commissioners for said Mineral County, the same as if duly elected to such office until their successors are chosen, and until said successors shall enter upon the duties of their office.

SEC. 4. Such board of commissioners of Mineral County shall, within ten days after their appointment, meet at the court-house building at Hawthorne, and, after severally taking the official oath, duly organize by electing one of their number as chairman, and by appointing a clerk, who shall not be one of their number.

SEC. 5. Such clerk so appointed shall take an oath to faithfully perform his duties, and shall immediately proceed to make and keep official record of all proceedings of said board of county commissioners of Mineral County; shall receive and file all papers and instruments intended for the consideration of said board, shall countersign all orders and proceedings of the board, and shall serve or cause to be served all orders of the board. He shall retain his position until a duly appointed,

or elected county clerk of Mineral County shall qualify and enter upon the duties of his office. He shall deliver to his successor all books and papers held by him as such clerk, and shall receive such compensation as may be allowed to him by said board of county commissioners of Mineral County.

SEC. 6. Said board of county commissioners shall, within ten days after their organization, as aforesaid, appoint from the legal citizens of Mineral County, to be officers of said Mineral County until their respective successors shall enter regularly upon their duties, namely:

Commissioners to appoint first county officers

A sheriff, who shall be ex officio county assessor; a county recorder, who shall be ex officio county auditor; a county clerk, who shall be ex officio county treasurer, clerk of the district court, and clerk of the board of county commissioners; a district attorney; a county surveyor, and a public administrator. And the said officers so appointed shall, within ten days, qualify and enter upon the duties of their respective offices.

SEC. 7. Said board of county commissioners is hereby required to make provision for such furniture, appliances, books, stationery and supplies as are suitable and necessary for the use of said county officers and for the proper conduct of all county business, which said business shall be transacted at the court-house in Hawthorne.

Duties of commissioners

SEC. 8. All fees collected by each of the aforesaid county officers of Mineral County, except the county surveyor and public administrator, shall be by them paid into the county treasurer each month.

What fees paid to county treasurer

SEC. 9. The said officers of Mineral County shall receive the following compensation, to wit:

The sheriff and ex officio assessor shall receive four thousand dollars per annum; he shall be allowed to appoint one deputy who shall receive a salary of eighteen hundred dollars per annum, and he shall also have the right and authority to appoint such additional deputies as may be necessary; *provided*, that the compensation of each such additional deputy shall not exceed four dollars per day, such compensation to be paid by and with the approval of the board of county commissioners only.

Salaries of officers and deputies

The county recorder and ex officio auditor shall receive two thousand dollars per annum, and whenever fees of his office shall exceed two hundred dollars per month he may appoint a deputy at a salary not to exceed one hundred and fifty dollars per month; *provided*, that whenever the fees of his office are less than two hundred dollars per month the salary of the deputy shall cease.

The county clerk and ex officio treasurer, clerk of the district court and clerk of the board of county commissioners shall receive a salary of two thousand dollars per annum, and may, during such periods as the district court and the board

**Salaries of
officers**

of county commissioners are both in session, appoint a deputy at a salary not to exceed five dollars per day for such period.

The district attorney shall receive two thousand dollars per annum, which shall be his compensation in full, except that he may be allowed such additional sums for necessary expenses incurred as the board of county commissioners shall authorize and approve, and he may employ such deputies as may be necessary, the compensation for such deputies to be fixed and approved by the county commissioners.

Each member of the board of county commissioners shall receive nine hundred dollars per annum, and such mileage as is now allowed by law in Esmeralda County.

The public administrator and the county surveyor shall receive the same compensation as is now allowed by law to these officers, respectively, in Esmeralda County.

**Pay of
assistants**

The board of county commissioners is hereby authorized and directed to allow such compensation as may be necessary for the payment of such additional clerks and assistants as may be needed in the offices of the county clerk and ex officio treasurer and county recorder and ex officio auditor, respectively, as herein provided, and such compensation shall be allowed and paid as other claims against the county.

**Boundaries
of election
precincts,
school dis-
tricts, etc.,
not changed**

Sec. 10. The election precincts, school districts, road districts, cities, towns and townships, embraced within the territory comprising the county of Mineral, shall be as heretofore fixed and established during the time the same composed a part of Esmeralda County, until otherwise changed by the board of county commissioners of Mineral County, and the officers heretofore elected, or appointed to office in said precincts, districts, cities, towns and townships shall hold their respective offices in the county of Mineral until their successors are appointed, or elected and qualified. And the registration lists, school censuses and the records of said officers respectively are hereby made the same in the county of Mineral that they were heretofore in the county of Esmeralda. And the county treasurer of the county of Esmeralda is hereby directed to pay to the county treasurer of the county of Mineral on demand all sums of money held by him as custodian for said precincts, districts, cities, towns and townships, rendering proper accounts with each of said funds; *provided*, that all county officers of Esmeralda County, elected at the general election in 1910, who have qualified and entered on the performance of their official duties, may continue to hold office, regardless of their present places of residence and county boundaries in the county of Esmeralda until the expiration of their several terms of office.

Proviso**Tax levy for
1910**

Sec. 11. At the first meeting of the board of county commissioners of said Mineral County all necessary tax levies for reasonable provision, for needs of county, roads, school, city and town, for all purposes for the year 1911 shall be made.

Sec. 12. Said Mineral County shall be attached to and

become a part of the seventh judicial district, in which said Mineral County court shall be held at least twice in each calendar year, at dates to be fixed by the judge of said district court; and the board of county commissioners of said Mineral County are hereby authorized and directed to pay the necessary traveling expenses of the judge of said district court from the county-seat of Esmeralda County to the county-seat of Mineral County and return. Said Mineral County shall be attached to and become a part of the fourth educational (supervision) district.

Part of seventh judicial district and fourth educational district

SEC. 13. The board of county commissioners of the county of Mineral shall, as soon as practicable after said county be organized, receive bids for making transcripts of all the records of said county of Esmeralda of all properties situate in the county of Mineral, or rights affecting the status of persons, residents thereof, as said board of county commissioners may deem necessary, and transcribing the same as provided by law in the proper record books to be provided by said county of Mineral for that purpose. And the said board of county commissioners of the county of Mineral shall award such contract to the lowest responsible bidder therefor, and for the faithful performance of said contract said board of county commissioners shall receive a good and sufficient bond in the sum of not less than five thousand dollars, to be approved by said board of county commissioners. The board of county commissioners may reject any and all bids for transcribing the said records in case the lowest bid is deemed by the county commissioners to be too high. And the compensation so allowed by the board of county commissioners of Mineral County for the transcribing of such records shall be payment in full for such transcription, and the officials of Esmeralda County are hereby directed to certify to the correctness of such transcriptions without compensation. The county clerk and the county recorder of the said county of Esmeralda shall afford every reasonable opportunity and facility for transcribing such record, and said transcribed records when accepted by the board of county commissioners of said Mineral County, shall become, for all legal purposes, the same as original records and files.

Records to be transcribed

SEC. 14. All suits determined and judgments remaining unsatisfied, relating to any person residing or property situate wholly in the territory hereby detached from Esmeralda County, all suits, proceedings and estates pending and undetermined which may appertain wholly to property, real, personal or mixed, in said detached territory, all actions for the recovery of money in which the defendant resides in said detached territory, and all pending criminal cases which arose in said detached territory in the district court in and for Esmeralda County, shall, within forty days from the taking effect of this act be, by the county clerk of said Esmeralda County duly and legally certified, transferred and delivered to the county clerk of Mineral County, together with all papers and documents, and certified copies of all court and judicial orders pertaining

Regarding pending litigation

to the same, and all of said papers, documents and judicial and court orders shall be by said clerk of Mineral County filed in his office and thereafter proceeded with in the same manner as if commenced or heard or determined in Mineral County; the county clerk of Esmeralda County and the county clerk of Mineral County shall perform this service without compensation.

Apportionment of floating indebtedness of Esmeralda County

SEC. 15. At the regular meeting on the first Monday in July, 1911, the county commissioners of Esmeralda County shall ascertain the total amount of money on hand in the county treasury of Esmeralda County, excepting funds of the various precincts, districts, cities, town and townships as shown by the sworn statement of the various officers of said county, and the total amount of the floating indebtedness of Esmeralda County; then deduct the amount of the floating indebtedness from the total amount of the money in the county treasury and apportion the amount of the difference thus obtained to Esmeralda County and Mineral County in the following manner:

Method of ascertaining

(a) Ascertain the total valuation of property assessed for taxation in Esmeralda County, including the proceeds of mines, for the year 1910;

(b) Ascertain the total valuation of property assessed for taxation in the territory set off for Mineral County, including the proceeds of mines, in the same year;

(c) As the total valuation of the property assessed, including the proceeds of mines, for taxation in Esmeralda County in 1910 is to the total valuation of the property in the same year assessed, for taxation, including proceeds of mines, in the territory set off as Mineral County, so is the difference before found to the amount to be paid by Esmeralda County to Mineral County as Mineral County's due proportion of money in the county treasury of Esmeralda County.

The said commissioners shall thereupon order the county treasurer of Esmeralda County to pay to the treasurer of Mineral County on or before the fifteenth day of July, 1911, the said amount so found to be Mineral County's proportion of said money, and thereafter any moneys collected by any officer of Esmeralda County on account of city, town, or county license, taxes, or poll taxes levied for the year 1910 upon persons, property and business situate in the territory hereinbefore set off as Mineral County shall be the property of Mineral County and immediately forwarded to the treasurer thereof.

SEC. 16. Mineral County shall pay its due proportion of the funded and refunded indebtedness of Esmeralda County, as covered by all acts authorizing Esmeralda County to fund and refund its existing indebtedness, and in the manner and form following, to wit:

Apportionment of funded and refunded indebtedness of Esmeralda County

At the regular meeting on the first Monday in July, 1911, the county commissioners of Esmeralda County shall ascertain the total funded and refunded indebtedness of Esmeralda County, deducting therefrom all moneys set aside for the

payment thereof, and apportion the amount thus obtained to Esmeralda County and Mineral County in the following manner:

(a) Ascertain the total valuation of property assessed for taxation in Esmeralda County, including the proceeds of mines, for the year 1910; Method of ascertaining

(b) Ascertain the total valuation of the property assessed for taxation in the territory set off for Mineral County, including the proceeds of mines, in the same year;

(c) As the total valuation of the property assessed, including proceeds of mines, for taxation in Esmeralda County, in 1910, is to the total valuation of the property in the same year assessed for taxation, including proceeds from mines, in the territory set off as Mineral County, so is the total of the funded and refunded indebtedness of Esmeralda County to the proportion of the funded and refunded indebtedness of Esmeralda County, due from Mineral County to Esmeralda County.

For the purpose of creating a fund for the payment of the amount apportioned to Mineral County of said funded and refunded indebtedness, and the interest thereon, the board of county commissioners of Mineral County is hereby authorized and required to levy and collect annually a special tax on the assessed value of all property (subject to taxation), both real and personal, including proceeds of mines, within the boundaries of said Mineral County, and the amount so collected shall be paid by Mineral County to Esmeralda County at the times and in the amounts as the same shall become due under the law authorizing and the contract or contracts creating said bonded indebtedness. Special tax, when levied

SEC. 17. The title to all property situate in the county of Mineral on which taxes have become, or may become delinquent, and which said property has been or may be forfeited to Esmeralda County shall vest in and become the property of Mineral County and on demand of its commissioners for a tax deed to said property, or any part thereof, the county commissioners of Esmeralda County shall cause its proper officers to forthwith make, execute and deliver to said county of Mineral a good and sufficient tax deed therefor, without compensation for such service. And all county property situated within the boundaries of Mineral County shall be and remain the property of Mineral County, and all the county property situated within the boundaries of Esmeralda County shall be and remain the property of Esmeralda County. Title to property to vest in Mineral County

SEC. 18. This act shall take effect immediately. In effect

SEC. 19. All acts or parts of acts in conflict with the provisions of this act are hereby repealed. Repeal

CHAP. 14—*An act authorizing the governor to offer a reward for the arrest and conviction of the person or persons guilty of the murder of Harry Cambron and three associates in Washoe County.*

[Approved February 17, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Reward for
apprehen-
sion of
murderers

SECTION 1. That the governor is hereby authorized to offer a reward of one thousand dollars in each instance, and not exceeding five thousand dollars in all, for the arrest and conviction of the person or persons guilty of the murder of Harry Cambron and three associates in Washoe County.

\$5,000

SEC. 2. There is hereby appropriated, out of any money in the treasury, not otherwise appropriated, the sum of five thousand dollars, to carry out the provisions of this act.

CHAP. 15—*An act for the support and maintenance of the governor's mansion, and making an appropriation therefor.*

[Approved February 17, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Support of
governor's
mansion

SECTION 1. The governor of the State of Nevada is hereby allowed the sum of two hundred and fifty dollars per month for the support and maintenance of the governor's mansion, payable on the first of every month for the preceding month, on the requisition of the governor for such amount; and the state controller is hereby directed to draw warrants, and the state treasurer to pay the same out of any moneys in the state treasury appropriated for such purpose.

Appropriation of \$6,000

SEC. 2. There is hereby appropriated out of the general fund in the state treasury the sum of six thousand dollars for the support and maintenance of the governor's mansion for the years nineteen hundred and eleven and nineteen hundred and twelve.

CHAP. 16—*An act for the relief of Dr. T. F. Richardson for legal expenses incurred while acting as state veterinarian of the State of Nevada.*

[Approved February 17, 1911]

Relief of Dr.
T. F. Richardson

WHEREAS, During the month of April, 1909, Dr. T. F. Richardson was duly appointed to the office of state veterinarian for the State of Nevada, and while engaged in the legal discharge of his duties as such officer did incur certain expenses during the months of July and December, 1910, but owing to inadver-

tence he failed to present his claim while money was appropriated for such purposes; and

WHEREAS, The amount of expenses so incurred by said Dr. T. F. Richardson was the sum of forty dollars; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of forty dollars is hereby appropriated out of any money in the general fund of the state not otherwise appropriated for the relief of Dr. T. F. Richardson. \$40 appropriated

SEC. 2. The state controller is hereby directed to draw his warrant in favor of Dr. T. F. Richardson for the amount specified in this act, and the state treasurer is hereby directed to pay the same.

CHAP. 17—*An act to extend the tenure of office of inspector of mines for the State of Nevada, to conform with other state officers.*

[Approved February 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. That the term of office of inspector of mines for the State of Nevada, that would expire on the first Monday of January, 1913, be and the same is hereby extended to the first Monday of January, 1915, and that said officer be elected every four years thereafter, as are other officers of the executive department of the state. Term of office of inspector of mines increased to four years

SEC. 2. All acts and parts of acts in conflict herewith be and the same are hereby repealed.

CHAP. 18—*An act to promote the public safety by requiring railroad companies to provide adequate train crews, and defining such crews, and prescribing a penalty for the violation of the provisions thereof.*

[Approved February 21, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. It shall be unlawful for any railroad company or receiver of any railroad company, doing business in the State of Nevada, to run over its road or part of its road outside the yard limits, any passenger train consisting of five cars or less, exclusive of engine and tenders, with less than a crew consisting of four persons, one engineer, one fireman, one con- Certain train crews must consist of four persons

ductor and one brakeman, who will act in the capacity of flagman.

When must
be five
persons

SEC. 2. It shall be unlawful for any railroad company, or receiver of any railroad company, doing business in the State of Nevada, to run over its road or parts of its road outside of the yard limits, any passenger train consisting of six cars or more, exclusive of engine and tenders, with less than a crew consisting of five persons, one engineer, one fireman, one conductor, one brakeman, and one flagman.

Freight
crews, etc.,
must be five
persons

SEC. 3. It shall be unlawful for any railroad company, or receiver of any railroad company, doing business in the State of Nevada, to run over its road or part of its road outside of the yard limits, any freight, gravel, or construction train, regularly, of more than eight cars, exclusive of engine and tender, with less than a crew consisting of five persons, one engineer, one fireman, one conductor, and two brakemen.

Penalty

SEC. 4. Any railroad company or receiver of any railroad company doing business in the State of Nevada, which shall violate any of the provisions of this act shall be liable to the State of Nevada for a penalty of not less than one hundred dollars or more than one thousand dollars for each offense; and such penalty shall be recovered and suit brought in the name of the State of Nevada in a court of proper jurisdiction in any county in or through which such line of railroad may run, by the attorney-general, or under his direction, or by the district attorney in any county through which such lines of railroad may be operated.

Exceptions

SEC. 5. The provisions of this act shall not apply to or include any railroad company, or receiver or manager thereof, or any line of railroad in this state less than twenty miles in length; neither shall they apply to the operations of light engines and tenders when running as such, outside the yard limits.

Supplemen-
tary to
former act

SEC. 6. This act shall not be deemed to be in conflict with, or to repeal, but supplementary to "An act to promote the public safety by requiring common carrier railroads to provide adequate train crews and defining such crews, and prescribing a penalty for the violation of the provisions thereof," approved March 8, 1909.

CHAP. 19.—*An act providing for the maintenance, operation, and necessary equipments for the state agricultural farm, situated at Logan, Clark County, Nevada, for the years 1911 and 1912, and making an appropriation therefor.*

[Approved February 21, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Support of
experiment
farm in Clark
County

SECTION 1. For the purpose of maintaining and operating the state agricultural experiment farm, located at Logan, Clark County, Nevada, for the years 1911 and 1912, and providing

necessary equipments therefor, the sum of twelve thousand dollars (\$12,000) is hereby appropriated out of any money not otherwise appropriated. The state controller is directed to draw his warrant upon the state treasurer in favor of the claimants under the appropriation. When their claims have been approved by the board of control and by the state board of examiners, the state treasurer is hereby directed to pay the same.

CHAP. 20—*An act providing for leave of absence for all state employees, the length of time of such leave, and providing for their salary during such time.*

[Approved February 21, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Each and every state employee who has been in the service of the state for six months or more, in whatever capacity, shall be allowed, in each calendar year, a leave of absence of fifteen days, with full pay, providing the head of each department shall fix the date of such leave of absence.

Leave of
absence for
state
employees

SEC. 2. This act shall take effect immediately.

CHAP. 21—*An act authorizing and directing the board of county commissioners of Humboldt County, State of Nevada, to regulate the compensation of the justices of the peace and constables of National Township and Paradise Township, Humboldt County, Nevada.*

[Approved February 21, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. At their first meeting in March, 1911, and every six months thereafter, the board of county commissioners of Humboldt County, shall fix the respective salaries of the justices of the peace and constables of National Township, and of Paradise Township of Humboldt County, which salaries shall be in lieu of all criminal fees as are now allowed said officers by law; *provided*, that each of the said justices of the peace and constables shall be entitled to retain, in addition to the salary as fixed by said board as aforesaid, all civil and coroners' fees as are now provided by law; *and provided further*, that in no case shall the salary of any of said justices of the peace or constables be fixed at an amount exceeding the sum of one hundred and fifty dollars (\$150) per month.

Salaries of
justices of
the peace
and con-
stables of
National and
Paradise
Townships,
Humboldt
County

SEC. 2. All criminal fees received by the said justices of the peace and said constables in the performance of their official

Criminal fees
to go to
county

duties shall be paid into the county treasury of Humboldt County, by said officers, within ten days after the receipt thereof.

Salaries, how allowed SEC. 3. The said salaries as fixed shall be allowed to each of the said justices of the peace and constables as other just claims against the county.

Expenses allowed, when SEC. 4. In addition to the said salary and fees, each of the said constables shall be allowed his actual expenses when necessarily performing his official duties under criminal process without the boundaries of his respective township.

Repeal in effect SEC. 5. All acts and parts of acts in conflict with this act are hereby repealed.

SEC. 6. This act shall take effect on March 1, 1911.

CHAP. 22—*An act fixing the salary and compensation for official services of the justice of the peace of Austin Township, Lander County, Nevada.*

[Approved February 21, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Salary of justice of the peace of Austin Township, Lander County SECTION 1. From and after the passage of this act, the board of county commissioners of Lander County are hereby authorized and directed to appropriate from the treasury of said county, and pay to the regularly elected or appointed justice of the peace of Austin Township of said county, the sum of one hundred dollars monthly as a salary, which shall be compensation in full for all services rendered in criminal proceedings or cases, either as coroner or committing magistrate; *provided, however*, that said justice of the the peace shall be allowed to retain all fees and commissions allowed by law in civil actions, and shall be allowed his necessary expenses while acting as coroner in cases wherein it is necessary to hire a conveyance.

What fees retained

Criminal fees to go to county SEC. 2. The regularly elected or appointed justice of the peace of said township shall pay into the county treasury each month all moneys collected by him as fees and fines, and shall file with the clerk of the board of county commissioners a sworn statement in writing of all fees and fines collected by him in all criminal cases during the month for which said salary is asked.

Repeal SEC. 3. All acts and parts of acts in conflict with this act are hereby repealed.

CHAP. 23—*An act fixing the salary of the justice of the peace in and for first township (sometimes known as Ely Township Number One), in White Pine County, State of Nevada.*

[Approved February 27, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. On and after the first day of April, A. D. 1911, the justice of the peace in and for the first township (sometimes known as Ely Township Number One), in White Pine County, State of Nevada, shall receive a monthly salary of one hundred and fifty dollars (\$150). Salary of Justice of the peace, Ely Township, White Pine County

SEC. 2. The salary named in section 1 of this act shall be the only salary, compensation or fee that shall be allowed by the board of county commissioners or county auditor, or paid by the treasurer of said county for any and all services that may be rendered by said justice of the peace in criminal cases, and as ex officio coroner and registry agent. Salary role compensation

SEC. 3. The board of county commissioners of said county shall at their regular monthly meetings allow the salary named in this act as other county salaries are allowed, the county auditor shall draw his warrant therefor, and the county treasurer shall pay the same. Salary allowed monthly

CHAP. 24—*An act to repeal section three and section nine of an act entitled "An act to facilitate the giving of bonds and undertakings in certain cases and prescribing conditions upon which surety companies may become liable thereon in this state; fixing penalties for the violation thereof, repealing conflicting acts, and other matters relating thereto," approved March 26, 1909, and being chapter CCXXI of the laws of Nevada for the session of 1909.*

[Approved February 27, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section three and section nine of an act entitled "An act to facilitate the giving of bonds and undertakings in certain cases and prescribing conditions upon which surety companies may become liable thereon in this state; fixing penalties for the violation thereof, repealing conflicting acts, and other matters relating thereto," approved March 26, 1909, being chapter CCXXI of the laws of the State of Nevada, for the session of 1909, are hereby repealed. Certain sections concerning surety companies repealed

CHAP. 25—*An act to amend "An act to amend an act to amend an act entitled an act to amend an act entitled 'An act to amend an act concerning the courts of justice of this state and judicial officers,' approved January 26, 1865," approved January 31, 1866, approved March 1, 1883, approved March 2, 1891, approved March 12, 1903.*

[Approved February 27, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section fifty of said act is hereby amended so as to read as follows:

Nonjudicial
days
enumerated

Section 50. No court shall be open, nor shall any judicial business be transacted on Sunday, on the 1st day of January (New Year Day), on the 12th day of February (Lincoln's Birthday), on the 22d day of February (Washington's Birthday), on the 30th day of May, commonly known as Memorial Day, on the 4th day of July, on the 1st Monday of September of each year (Labor Day), on the 31st day of October, to be known as Admission Day, on Thanksgiving Day, on the 25th day of December (Christmas Day), on a day which the primary election is held throughout the State, on a day on which the general election is held, or on any day that may be appointed by the president of the United States, or by the governor of this state, for public fast, thanksgiving or holiday, except for the following purposes:

What busi-
ness allowed

First—To give, upon their request, instructions to a jury then deliberating on their verdict.

Second—To receive a verdict or discharge a jury.

Third—For the exercise of the powers of a magistrate in a criminal action, or in a proceeding of a criminal nature.

Fourth—For the issue of a writ of attachment, which may be issued on each and all of the days above enumerated upon the plaintiff, of some person in his behalf, setting forth in the affidavit required by law for obtaining said writ, the additional averment as follows: That the affiant has good reason to believe, and does believe, that it will be too late for the purpose of acquiring a lien by said writ to wait till a subsequent day for the issuance of the same. And all proceedings instituted, and all writs issued and all official acts done on any of the days above specified, under and by virtue of this section, shall have all the validity, force and effect of proceedings commenced on other days, whether a lien be obtained or a levy made, under and by virtue of said writ.

Falling on
Sunday.
Monday
following
observed

If the 1st day of January, 12th day of February, 22d day of February, 30th day of May, 4th day of July, 31st day of October, or the 25th day of December fall upon Sunday, all business transactions shall be suspended on the following Monday.

CHAP. 26—*An act to repeal an act entitled "An act to incorporate the town of Fallon and to establish a government therefor," approved March 27, 1907.*

[Approved February 27, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. An act entitled "An act to incorporate the town of Fallon and to establish a government therefor," approved March 27, 1907, is hereby repealed. Incorporation of Fallon repealed

SEC. 2. This act shall take effect and be in force from and after its passage and approval.

CHAP. 27—*An act for the relief of P. Newgard, Frank Buck, T. E. O'Brien and H. A. Fravel for expenses incurred while rendering services to the State of Nevada under instructions from the governor.*

[Approved February 28, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated the sum of seven hundred and ninety-five dollars to be paid as follows: Two hundred and forty dollars to P. Newgard; one hundred and forty-six dollars to Frank Buck; one hundred and ninety-six dollars and fifty cents to T. E. O'Brien; two hundred and twelve dollars and fifty cents to H. A. Fravel, for expenses incurred while rendering services to the State of Nevada under instructions from the late governor of Nevada, John Sparks, as members of the Nevada State Police during the year nineteen hundred and eight. Relief of state police members

SEC. 2. The state controller is hereby directed to draw his warrant for the several amounts, payable to the several parties named in section one of this act, and the state treasurer is hereby directed to pay the same. Controller and treasurer, duties of

CHAP. 28—*An act to pay the deficiencies in the appropriation for the years 1909 and 1910.*

[Approved February 28, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of three thousand two hundred thirteen dollars and eighty-nine cents (\$3,213.89) is hereby appropriated out of any moneys in the general fund of the state for the Deficiencies of 1909 and 1910

payment of deficiencies in the appropriation for the years 1909 and 1910, as follows:

Relief of parties named Nevada State Fish Commissioners, \$1,319.76; Carson City News, \$540; Carson Daily Appeal, \$360; Jennie Emmitt, \$100; Ed. Regan, \$216; Nevada Consolidated Telegraph and Telephone Co., \$109.10; Postal Telegraph Co., \$4.81; Truckee River General Electric Light Co., \$59.45; Carson City Coal Gas Co., \$138.15; Meyers Mercantile Co., \$7.24; E. J. Walsh, \$12.85; J. M. Benton, \$18.30; C. F. Cutts, \$1.30; Carson Furniture Co., \$1; C. L. Kitzmeyer, \$4.65; Mrs. J. M. Davis, \$95.85; Virginia and Gold Hill Water Co., \$49.88; Sierra Nevada Wood and Lumber Co., \$6.55; F. E. Meder, \$2.75; Nevada Press Co., \$5.25; A. J. Millard, \$3; J. A. Muller, \$7.50; J. S. Burlingame, \$11.60; Postal Telegraph Co., Reno, \$2.78; Edward T. Patrick, \$10; Frank Golden Jewelry Co., \$6; Western Union Telegraph Co., Reno, \$23.06; Matthew Bender Co., \$7.50; Charles H. Crippen, \$15; Western Union Telegraph Co., \$9.81; Wm. Kayser, \$64.75.

Duties of controller and treasurer SEC. 2. The state controller is hereby directed to draw his warrants in favor of the persons above named for the several amounts specified in this act, and the state treasurer is directed to pay the same.

CHAP. 29—*An act for the relief of W. E. Lear, P. J. McMahon, M. G. Cecil and Wm. Kayser.*

[Approved February 28, 1911]

Relief for labor in adjutant-general's department WHEREAS, The above-named persons have performed certain necessary labor for the state in and about the state armory at the instance of the adjutant-general during the year 1910, which said services have not been paid for, and are a just demand against the state; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriation SECTION 1. The sum of sixty-two dollars and fifty cents (\$62.50) is hereby appropriated, out of any moneys in the general fund not otherwise specifically appropriated, for the payment of the amounts following: W. E. Lear, \$9; P. J. McMahon, \$42; M. G. Cecil, \$9; Wm. Kayser, \$2.50.

SEC. 2. The state controller is hereby directed to draw his warrants in favor of the persons above named for the several amounts, and the state treasurer is hereby directed to pay the same.

CHAP. 30—*An act for the relief of Peter J. Somers for legal expenses incurred while acting as district judge of the State of Nevada.*

[Approved February 28, 1911]

WHEREAS, During the month of December, 1910, Peter J. Somers was the duly elected, qualified and acting district judge of the seventh judicial district of the State of Nevada, and while engaged in the legal discharge of his duties as such judicial officer did incur certain expenses during the said month of December 1910, but owing to inadvertence he failed to present his claim while money was appropriated for such purposes; and

Relief of
Judge P. J.
Somers

WHEREAS, The amount of expenses so incurred by said Peter J. Somers was the sum of thirty-seven dollars and ten cents; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of thirty-seven dollars and ten cents is hereby appropriated, out of any money in the general fund of the state not otherwise appropriated, for the relief of Peter J. Somers.

Appropriation

SEC. 2. The state controller is hereby directed to draw his warrants in favor of Peter J. Somers for the amount specified in this act, and the state treasurer is hereby directed to pay the same.

Duties of controller and treasurer

CHAP. 31—*An act to authorize the board of county commissioners of Douglas County to issue bonds for the purpose of creating a fund for liquidating and paying all outstanding indebtedness of said county, including the expenses of building and equipping a county court-house, other than bonded indebtedness, for purchasing and equipping a county poor farm, for building and maintaining public roads and bridges, and for paying current expenses of Douglas County, State of Nevada.*

[Approved February 28, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The board of county commissioners of Douglas County, Nevada, are hereby authorized and empowered to prepare and issue bonds of said county, after the first day of February, 1911, for an amount not exceeding the sum of thirty thousand dollars, exclusive of interest, for the purpose of providing funds for paying all outstanding indebtedness of said county, other than bonded indebtedness, including expenses of building and equipping a county court-house, for purchasing

Bonds for Douglas County

and equipping a county poor farm, for building and maintaining public roads and bridges, and for paying current expenses in Douglas County, State of Nevada.

Preparation
of same

SEC. 2. The board of county commissioners of said Douglas County may cause said bonds to be prepared and made ready for issuance. Such bonds shall be signed by the chairman of the board, countersigned by the county treasurer, and authenticated with the seal of the county. Coupons for interest shall be attached to each bond, so that the same may be removed without injury to the bonds, and each of said coupons shall be consecutively numbered, and signed by the chairman of said board and the county treasurer.

Record to be
kept

SEC. 3. The clerk of the board of county commissioners shall keep a record of all proceedings under the provisions of this act, showing the number and date of each bond and to whom issued.

Negotiation
of bonds

SEC. 4. The board of county commissioners of Douglas County is hereby authorized to negotiate the sale of said bonds, or such number thereof as they may deem necessary, by advertising for sealed proposals or by private sales, as they may deem for the best interests of the county, and may reject any and all bids; *provided*, that no bonds shall be sold for less than par value; *and provided further*, that all bonds shall be made for gold coin of the United States, and the interest thereon shall be payable in like gold coin.

Denomina-
tion of bonds

SEC. 5. Said bonds shall be each for the sum of five hundred dollars. They shall be numbered from one to sixty, consecutively, and the interest on the same shall not exceed six per cent per annum, payable annually on the first Monday in July of each year, at the office of the county treasurer of said Douglas County, and in no case shall any of said bonds run for a longer period than eighteen years.

Improve-
ment fund
created

SEC. 6. All moneys received from the sale of said bonds shall be paid to the county treasurer of said county, and said treasurer is hereby required to receive and safely keep the same in a fund hereby created and known as the "Douglas County Improvement Fund No. 1," and pay out said moneys only in the manner now required by law for the payment of the same, and for the purposes for which the same were received.

Duties of
county com-
missioners

SEC. 7. The said board of county commissioners is hereby authorized and directed to use the money accruing from the sale of said bonds for liquidating and paying all outstanding indebtedness of Douglas County, other than bonded indebtedness, including the expenses of building and equipping a county court-house, for purchasing and equipping a county poor farm, for building and maintaining public roads and bridges, and for paying current expenses of said Douglas County.

SEC. 8. The said county treasurer shall be liable on his

official bond for the safe keeping of the moneys which shall come into his hands under the provisions of this act, and for the faithful discharge of all his duties in relation thereto. Treasurer
liable for
bond money

SEC. 9. For the purpose of creating a fund of the bonds authorized by this act, and the interest thereon, the board of county commissioners of Douglas County is hereby authorized and required to levy and collect annually a special tax on the assessed value of all property both real and personal, subject to taxation, including proceeds of mines, within the boundaries of said Douglas County, until such bonds and interest thereon shall have been fully paid, sufficient to pay the interest on said bonds and to pay and retire, beginning with bond number one, and consecutively thereafter, two of said bonds annually beginning with the first Monday in July, 1912, until twelve of said bonds are redeemed, and retired, and thereafter to levy and collect a like special tax in an amount sufficient to pay the interest and to pay and retire, consecutively, four of said bonds, annually until all of said bonds are fully redeemed and retired. Such tax shall be levied and collected in the same manner and at the same time as other taxes are assessed and collected, and the proceeds thereof shall be kept by the county treasurer in a special fund to be known as the "Douglas County Improvement Fund No. 1." Special tax
for bonds

SEC. 10. It shall be obligatory on said county and its proper officers annually, beginning on the first Monday in July, 1912, to fully pay the accrued interest on said bonds, and to fully pay and retire two of said bonds, beginning with the first number thereof, until twelve of said bonds are redeemed and retired, and to fully pay and retire four of them annually thereafter in their consecutive numbers, until all of said bonds are redeemed and retired. Bonds, how
and when
retired

SEC. 11. Whenever the bonds and interest provided for in this act shall have been fully paid, the tax authorized by this act shall cease, and all moneys remaining in said bond fund shall, by order of the board of county commissioners of said county, be transferred to the general fund of said county. Special tax
to cease,
when

SEC. 12. Whenever the county treasurer shall redeem any of the bonds issued under the provisions of this act, he shall cancel the same by writing across the face thereof, "paid," together with the date of such payment, sign his name thereto, and turn the same over to the county auditor, taking his receipt therefor, which receipt shall be filed with the clerk of the board of county commissioners and the auditor shall credit the treasurer on his books for the amount so paid. Treasurer to
cancel paid
bonds, how

SEC. 13. Should the holder of said bonds or of any of them, for any cause whatever, fail to present said bonds to the said county treasurer for payment when they become due, all interest on such bonds shall thereafter immediately cease. No interest
paid, when

SEC. 14. The faith of the State of Nevada is hereby pledged that this act shall not be repealed, nor the taxation thereby Faith
of State of
Nevada
pledged

imposed be omitted, until all the bonds and coupons issued under and by virtue hereof shall have been paid in full, as in this act specified.

CHAP. 32—*An act to fix the rate of county taxation in counties of this state, and repealing all acts or parts of acts inconsistent with this act.*

[Approved March 1, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Lawful to
increase tax
rate in cer-
tain counties

SECTION 1. In all counties whose tax rate for county purposes for the year 1910, exclusive of tax to pay the interest and maintain the sinking fund of the bonded indebtedness of such counties, did not exceed one dollar and five cents on each one hundred dollars of assessed valuation, it shall be lawful for the board of county commissioners of such counties to fix the tax rate for such county purposes for the year 1911 at not exceeding one dollar and thirty-five cents on each one hundred dollars of assessed valuation, and such board of county commissioners shall thereafter, during each subsequent year, fix such tax rate at a sum not to exceed one dollar and thirty-five cents on each one hundred dollars of assessed valuation.

Repeal

SEC. 2. That all acts and parts of acts inconsistent with the provisions of this act be and they are hereby repealed.

CHAP. 33—*An act to amend section one hundred and five of an act entitled "An act to regulate the settlement of the estates of deceased persons," approved March 23, 1897.*

[Approved March 1, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one hundred and five of the above-entitled act is hereby amended so as to read as follows:

Estate under
\$500 not
administered
upon; may be
set apart
for minor
children

Section 105. When a person shall die, leaving an estate the whole value of which does not exceed five hundred dollars, and there be a surviving husband or wife, or a minor child or children, such estate shall not be administered upon, but the whole thereof shall be by the court or judge, by an order for that purpose, assigned and set apart for the support of the surviving husband or wife, or minor children of deceased, or for the support of the minor child or children if there be no surviving husband or wife; *provided*, that the whole of such estate even though there be a surviving husband or wife, may in the discretion of the court be set aside to the minor child or children of the deceased according to the subserviency of

the best interests of such minor child or children. Such order may be made by the court or judge on motion made by or on behalf of the surviving husband or wife, or next friend of any minor child or children upon an affidavit setting forth the necessary facts, and the court or judge being satisfied that the value of the whole of such estate does not exceed five hundred dollars.

CHAP. 34—*An act to authorize the board of county commissioners of Lyon County to issue bonds for the purpose of creating a fund for the erection and furnishing of county buildings in the city of Yerington.*

[Approved March 1, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The board of county commissioners of Lyon County, Nevada, are hereby authorized and directed, within thirty days after the approval of this act, to prepare and issue bonds of said county, for the sum of thirty-five thousand dollars, exclusive of interest, for the purpose of providing funds for the obtaining of premises and the erection and furnishing of a court-house and jail for said county.

Bonds for county buildings at Yerington

SEC. 2. The bonds authorized under the provisions of this act shall be issued in the sum of one thousand dollars each, and shall bear interest at a rate not to exceed six per cent per annum. Said bonds shall be numbered from one to thirty-five inclusive, and shall be signed by the chairman of the board, countersigned by the county treasurer, and authenticated with the seal of the county. Coupons for interest shall be attached to each bond so that the same may be removed without injury to the bonds, and each of said coupons shall be consecutively numbered, and signed by the chairman of said board and the county treasurer.

Denomination of bonds

SEC. 3. The clerk of the board of county commissioners shall keep a record of all proceedings under the provisions of this act, showing the number and date of each bond and to whom issued.

Record of bonds to be kept

SEC. 4. The board of county commissioners of Lyon County are hereby authorized and directed to negotiate the sale of said bonds by advertising for sealed proposals or by private sales, as they may deem best; *provided*, that all the bonds shall be made for gold coin of the United States, and the interest thereon shall be payable in like gold coin.

How negotiated

SEC. 5. Said bonds shall run for a period of not less than four nor more than twenty years. The interest on the same shall be payable annually on the first Monday of January of each year at the office of the county treasurer of Lyon County. It shall be obligatory on said county and its proper officers to fully pay the interest on said bonds annually, and to fully pay

Term of bond, interest, etc.

and retire three of said bonds on the first Monday of January, 1915, beginning with the first number thereof, and so on consecutively, and on the first Monday of January of each year thereafter until said bonds and the interest thereon are fully paid, canceled and retired, to pay and retire three of said bonds in such manner.

Special tax
ceases, when

SEC. 6. Whenever the bonds and interest provided for in this act shall have been fully paid, the tax authorized by this act shall cease, and all moneys remaining in the bond fund hereinafter created shall, by order of the board of county commissioners, be transferred to the general fund of the county.

Interest and
bonds, how
paid and
canceled

SEC. 7. Whenever the county treasurer shall pay anything on the bonds issued under the provisions of this act, he shall cancel the same by writing across the face thereof "paid," together with the date of such payment, and sign his name thereto and turn the same over to the county auditor, taking his receipts therefor, which receipt shall be filed with the clerk of the board of county commissioners, and the auditor shall credit the treasurer on his books with the amount so paid.

Bond fund,
how created

SEC. 8. For the purpose of creating a fund for the payment of the bonds authorized by this act and the interest thereon, the board of county commissioners of Lyon County are hereby authorized and directed to levy and collect annually a special tax on the assessed value of all property, both real and personal, within the boundaries of said Lyon County, until such bonds and the interest thereon shall have been fully paid, sufficient to pay the interest on said bonds and to pay and retire said bonds in the manner provided in this act. Such tax shall be levied and collected in the same manner and at the same time as other taxes are assessed and collected, and the proceeds thereof shall be kept by the county treasurer in a special fund to be known as the "Court-house Bond Fund."

Faith
of State of
Nevada
pledged

SEC. 9. The faith of the State of Nevada is hereby pledged that this act shall not be repealed, nor taxation thereby imposed omitted, until all the bonds and the coupons issued under and by virtue thereof shall have been paid in full, as in this act specified.

CHAP. 35—*An act to authorize the board of county commissioners of Lander County to issue bonds for the purpose of creating a fund for liquidating and paying all outstanding indebtedness of said county and for paying current expenses of Lander County, State of Nevada.*

[Approved March 1, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Bonds for
indebtedness
of Lander
County

SECTION 1. The board of county commissioners of Lander County, Nevada, are hereby authorized and empowered to prepare and issue bonds of said county, after the first day of March,

1911, for an amount not exceeding the sum of fifteen thousand dollars, exclusive of interest, for the purpose of providing funds for paying all outstanding indebtedness of said county, and for paying the current expense in said Lander County, State of Nevada.

SEC. 2. The board of county commissioners of said Lander County may cause said bonds to be prepared and made ready for issuance. Such bonds shall be signed by the chairman of the board, countersigned by the county treasurer, and authenticated with the seal of the county. Coupons for interest shall be attached to each bond, so that the same may be removed without injury to the bonds, and each of said coupons shall be consecutively numbered, and signed by the chairman of said board, and by the county treasurer.

How prepared and issued

SEC. 3. The clerk of the board of county commissioners shall keep a record of all proceedings under the provisions of this act, showing the numbers and date of each bond and to whom issued.

Record to be kept

SEC. 4. The board of county commissioners of Lander County is hereby authorized to negotiate the sale of said bonds, or such number thereof as they may deem necessary, by advertising for sealed proposals or by private sales, as they may deem for the best interests of the county, and may reject any and all bids; *provided*, that no bonds shall be sold for less than the par value; *and provided further*, that all bonds shall be made for gold coin of the United States, and the interest thereon shall be payable in like gold coin.

Negotiation of bonds

SEC. 5. Said bonds shall be each for the sum of five hundred dollars. They shall be numbered from one to thirty, consecutively, and the interest on the same shall not exceed five per cent per annum, payable annually on the first Monday in July of each year, at the office of the county treasurer of said Lander County, and in no case shall any of said bonds run for a longer period than eight years.

Denomination

SEC. 6. All moneys received from the sale of said bonds shall be paid to the county treasurer of said county, and said treasurer is hereby required to receive and safely keep the same in a fund hereby created and known as the "Lander County Bond Redemption Fund," and to pay out said moneys only in the manner now required by law for the payment of the same, and for the purposes for which the same were received.

Proceeds of sale of bonds, how kept

SEC. 7. The said board of county commissioners is hereby authorized and directed to use the money accruing from the sale of said bonds for liquidating and paying all outstanding indebtedness of Lander County, and for paying current expenses of said Lander County.

Commissioners, how to use proceeds

SEC. 8. The said county treasurer shall be liable on his official bond for the safe keeping of the moneys which shall come into his hands under the provisions of this act, and for the faithful discharge of all duties in relation thereto.

Treasurer liable for safe keeping

Fund for
payment of
interest and
bonds, how
created

SEC. 9. For the purpose of creating a fund for the payment of the bonds authorized by this act and the interest thereon, the board of county commissioners of Lander County is hereby authorized and required to levy and collect annually a special tax on the assessed value of all property both real and personal subject to taxation, including proceeds of mines, within the boundaries of said Lander County, until such bonds and interest thereon shall have been fully paid, sufficient to pay the interest on said bonds and to pay and retire beginning with bond number one, and consecutively thereafter four of said bonds annually beginning with the first Monday in July, 1913, until thirty of said bonds are redeemed and retired.

Bonds and
interest, how
liquidated

SEC. 10. It shall be obligatory on said county and its proper officers annually beginning on the first Monday in July, 1913, to fully pay the accrued interest on said bonds, and to fully pay and retire four of said bonds, beginning with the first number thereof, until all of said bonds are redeemed and retired, and to fully pay and retire four of them annually thereafter in their consecutive numbers, until all of said bonds are redeemed and retired.

Special tax
to cease,
when

SEC. 11. Whenever the bonds and interest provided for in this act shall have been fully paid, the tax authorized by this act shall cease, and all moneys remaining in said fund shall, by order of the board of county commissioners of said county, be transferred to the general fund of said county.

Treasurer to
cancel
bonds, how

SEC. 12. Whenever the county treasurer shall redeem any of the bonds issued under the provisions of this act, he shall cancel the same by writing across the face thereof "paid," together with the date of such payment, sign his name thereto, and turn the same over to the county auditor, taking his receipt therefor, which receipt shall be filed with the clerk of the board of county commissioners and the auditor shall credit the treasurer on his books for the amount so paid.

Interest
ceases, when

SEC. 13. Should the holder of said bonds or of any of them for any cause whatever, fail to present said bonds to the said county treasurer for payment when they become due, all interest on such bonds shall thereafter immediately cease.

Faith
of State of
Nevada
pledged

SEC. 14. The faith of the State of Nevada is hereby pledged that this act shall not be repealed, nor the taxation thereby imposed be omitted, until all the bonds and coupons issued under and by virtue hereof shall have been paid in full, as in this act specified.

CHAP. 36—*An act for the relief of Douglas County Farmers Bank, for the payment twice of one hundred dollars for a banking license.*

[Approved March 2, 1911]

Preamble

WHEREAS, In March, 1909, Douglas County Bank paid to D. M. Ryan, state treasurer and member of state banking

board, the sum of one hundred dollars and received therefor banking license number sixty-eight, for the term beginning April 1, 1909; and

WHEREAS, In July, 1909, under the amended banking laws of Nevada, requiring all banks to incorporate, Douglas County Farmers Bank, being the incorporated Bank of Douglas County, paid to the state banking board of Nevada the sum of one hundred dollars and received therefor banking license number twenty-nine for the term beginning April 1, 1909; now, therefore,

Refund of overpaid license to Douglas County Farmers Bank

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of one hundred dollars is hereby appropriated out of any money in the general fund of the state, not otherwise appropriated, for the relief of Douglas County Farmers Bank.

Appropriation of \$100

SEC. 2. The state controller is hereby directed to draw his warrant in favor of Douglas County Farmers Bank for the sum of one hundred dollars, and the state treasurer is hereby directed to pay the same.

Duties of controller and treasurer

CHAP. 37—*An act appropriating three hundred dollars for the watering and care of the Grand Army cemetery at Carson City, Nevada.*

[Approved March 2, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of three hundred dollars is hereby appropriated, out of any money in the general fund not otherwise appropriated, for the purpose of watering and caring for the Grand Army cemetery at Carson City, Nevada.

Appropriation for G. A. R. cemetery

SEC. 2. Annually on the first Monday in September, nineteen hundred and eleven and nineteen hundred and twelve, the state board of examiners shall audit and allow the post quartermaster of the Grand Army at Carson City, Nevada, the sum of one hundred and fifty dollars, on the filing with said board of examiners, by the said post quartermaster, the claim and sworn statement that the amount had been expended as provided in section one of this act.

Board of examiners to allow claim upon proper proof

SEC. 3. The state controller is hereby authorized and required to draw his warrants in favor of said post quartermaster for the sum named in this act, and the state treasurer is hereby authorized and required to pay the same.

Duties of controller and treasurer

CHAP. 38—*An act authorizing the state board of capitol commissioners to cause to be laid a concrete floor in the basement of the state library building and to provide for the payment of the cost of the same.*

[Approved March 2, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Concrete
floor for
basement of
library
building

SECTION 1. The state board of capitol commissioners are hereby authorized to be caused to be laid a concrete floor in the basement of the state library building, and for the purpose of paying the cost of said floor the sum of three hundred dollars (\$300) is hereby appropriated out of any moneys in the state treasury not otherwise appropriated.

CHAP. 39—*An act to amend an act entitled "An act to create a fire department fund," approved March 9, 1865, approved March 1, 1881.*

[Approved March 2, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Town or city
tax for fire
department

SECTION 1. Section one of said act is amended so as to read as to read as follows:

Section 1. The county commissioners of the various counties of the State of Nevada are hereby empowered to levy and collect a tax of not exceeding one per cent, upon the assessed value of property within any unincorporated town for the benefit of the fire department in such town.

Repeal

SEC. 2. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

CHAP. 40—*An act providing for certain changes in the control and management of the state agricultural experiment dry farm, located at Pleasant Valley, Elko County, Nevada, and making an appropriation therefor.*

[Approved March 3, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Board of
control of
Elko County
dry farm,
how
constituted

SECTION 1. The board of control of the state agricultural experiment dry farm located at Pleasant Valley, Elko County, Nevada, shall consist of three members, to be appointed by the governor of the state, within thirty days after the approval of this act. Two members of said board of control shall be prac-

tical farmers, residing within the county in which said state agricultural experiment dry farm is located, and the third member of said board shall be a professor in the agricultural department of the state university and a member of the Nevada Agricultural Experiment Station. The two resident members of said board of control shall receive for their services a compensation of ten dollars per month, and the member of said board who is connected with the state university and Nevada Agricultural Experiment Station shall receive his actual traveling expenses, and the same shall be paid when approved by the state board of examiners. They shall hold their office for a term of two years from the date of their appointment, and their successors shall be appointed in like manner. The governor may make, from time to time, such changes in the personnel of said board of control as he may deem necessary.

SEC. 2. The members of said board of control, before entering upon the duties of their office, shall qualify by taking the oath of office before some officer authorized to administer such oath. They shall hold meetings at said state agricultural experiment dry farm on the first Monday of each month, or oftener, if deemed expedient, and two members shall constitute a quorum for the transaction of business.

Members to
take official
oath

Meetings

SEC. 3. For the purpose of maintaining said state agricultural experimental dry farm for the years 1911 and 1912, and the erection of such buildings as may be necessary, the sum of ten thousand dollars is hereby appropriated, out of any moneys in the general fund of the state treasury not otherwise appropriated, and the state controller is hereby directed to draw his warrant upon the state treasurer in favor of the claimants under this appropriation, when their claims have been approved by the board of control, and by the state board of examiners, and the state treasurer is hereby directed to pay the same.

Appropriation for farm

SEC. 4. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

Repeal

CHAP. 41—*An act authorizing and directing the state controller and the state treasurer to transfer certain moneys.*

[Approved March 4, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The state controller and the state treasurer are hereby authorized and directed to transfer eight thousand nine seventy-six one-hundredths (\$8,009.76) dollars from the territorial interest fund to the state orphans' home interest and sinking fund; also to transfer two thousand one hundred twenty-four seventy-four one-hundredths (\$2,124.74) dollars

Transfer of
certain state
money
authorized

Transfers
between
certain state
funds

from the state university interest and sinking fund to the state interest and sinking fund; also to transfer one thousand three hundred twenty-seven eighty-eight one-hundredths (\$1,327.88) dollars from the contingent university interest and sinking fund, laboratory bond account, to the state interest and sinking fund; also to transfer five hundred thirty-one eighteen one-hundredths (\$531.18) dollars from the contingent university fund, hospital bond account, to the state interest and sinking fund, the said transfers to be used to redeem Nevada state bonds.

CHAP. 42—*An act providing for the establishment of a free public kindergarten in Sparks School District No. 29, Washoe County, Nevada, and to provide a tax levy for the purpose of maintaining the same.*

[Approved March 4, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Kindergar-
ten school in
Sparks
authorized

SECTION 1. The board of school trustees of Sparks School District No. 29 of Washoe County, Nevada, shall, on or before the first day of March, A. D. 1911, and each year thereafter, certify to the board of county commissioners of Washoe County, Nevada, the amount of money which will be required to support and maintain a free public kindergarten (school) in said school district for the same period the other public schools of said school district are kept open for public instruction, and affording sufficient accommodations for all of the children of kindergarten age residing within the said school district, as may be prescribed by the regulations of the said board of school trustees.

Special tax
for said
school

SEC. 2. Upon the receipt of said certification, the board of county commissioners of Washoe County, Nevada, shall levy a special tax rate upon all of the taxable property within the said school district sufficient to raise the amount of money certified to by the said board of school trustees, and the tax thereby raised shall be used solely for the support and maintenance of a public kindergarten (school) within said school district.

Under regu-
lar school
management

SEC. 3. The said free public kindergarten (school), the premises and building upon which and within which the same is supported and maintained, and the funds by which the same is sustained, shall all be as fully and completely under the supervision, control and management of the board of school trustees of Sparks School District No. 29, Washoe County, Nevada, as are the other free public schools within the said district.

CHAP. 43—*An act concerning and fixing standard weights and measures and to regulate the sale of commodities or articles of merchandise according to such standards, and to provide fines, penalties and damages for the violation thereof, and for rules of evidence relating thereto; and to provide for the inspection of weights, measures and weighing and measuring devices, and for the enforcement thereof, and making an appropriation for the carrying out of this act.*

[Approved March 8, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The standard weights and measures as have been adopted by the Government of the United States of America, and such weights, measures, balances and measuring devices as heretofore have been, or hereafter may be, furnished this state by the United States, as standard weights, measures, balances and measuring devices, shall be the legal standard of weights and measures throughout the State of Nevada. This section shall not prevent the use of the weights and measures of the metric system, authorized by congress of the United States, as it appears in the revised statutes of the United States.

Government standards of weights, measures, etc., adopted

SEC. 2. The unit of standard measure of length and surface, from which all other measures of extension, whether lineal, superficial or solid, shall be derived and ascertained, is the standard yard, adopted by the Government of the United States. The yard shall be divided into three equal parts, called feet, and each foot into twelve equal parts, called inches. For the measure of cloth and other commodities commonly sold by the yard, it may be divided into halves, quarters, eighths and sixteenths.

Defining yard and fractions

Defining rod, etc.

SEC. 3. The rod, pole or perch shall contain five and a half standard yards, and the mile, one thousand seven hundred and sixty such yards. The chain for measuring land shall be twenty-two standard yards long, and be divided into one hundred equal parts, called links.

SEC. 4. The acre for land measure shall be measured horizontally, and contain ten square chains, and be equivalent in area to a rectangle sixteen rods in length and ten rods in breadth. Six hundred and forty acres shall be contained in a square mile.

Acre and square mile defined

SEC. 5. The perch of mason work or stone shall consist of twenty-five cubic feet.

Perch

SEC. 6. The units of standards of weights from which all other weights shall be derived and ascertained shall be the standard avoirdupois and troy weights adopted by the Government of the United States.

Units of weight

SEC. 7. The avoirdupois pound which bears to the troy pound the ratio of seven thousand to five thousand seven hun-

Pound

Ton

Ounce

Units of
measureGallon and
fractions

Barrel

Bushel, etc.

Barrel and
bushel of
certain com-
modities

dred and sixty, shall be divided into sixteen equal parts called ounces. The hundredweight, except of pig iron and iron ore, shall consist of one hundred avoirdupois pounds, and twenty hundredweight shall constitute a ton. The troy ounce shall be equal to the twelfth part of a troy pound. Whenever hereafter in this act the word pound is used it shall mean the avoirdupois pound unless otherwise distinctly specified.

SEC. 8. The unit of standard measure of capacity for liquids from which all other measures of liquid shall be derived and ascertained shall be the standard gallon, adopted by the Government of the United States. The half-gallon, quart, pint, half-pint and gill measures for measuring liquids shall be derived from the gallon by dividing it and each successive measure by two.

SEC. 9. The barrel shall contain thirty-one and one-half gallons and two barrels shall constitute a hogshead.

SEC. 10. The unit of standard measure of capacity for commodities other than liquids, from which all other measures of such commodities shall be derived and ascertained, shall be the standard bushel measure adopted by the Government of the United States. The half-bushel, peck, half-peck, quarter-peck, quart, and pint measures for measuring commodities other than liquids shall be derived from the bushel by dividing it and each successive measure by two.

SEC. 11. Whenever any of the following articles shall be contracted for, or sold, or delivered, and no special contract or agreement shall be made to the contrary, such sale and computations for payment or settlement thereof shall be by weight. The net weight per barrel or bushel, or divisible merchantable quantities of a barrel or bushel, shall be as follows: Wheat flour, per barrel, one hundred and ninety-six pounds; per half-barrel, ninety-eight pounds; per quarter-barrel sack, forty-nine pounds; per one-eighth-barrelsack, twenty-four pounds; per one-sixteenth-barrel sack, twelve pounds; corn meal, per bushel sack, forty-eight pounds; per half-bushel sack, twenty-four pounds; per quarter-bushel sack, twelve pounds; and the following commodities per bushel: wheat, sixty pounds; rye, fifty-six pounds; Indian corn on the ear, seventy pounds; Kaffir corn, fifty-six pounds; rice corn, fifty-six pounds; corn, shelled, fifty-six pounds; sorghum seed, fifty pounds; buckwheat, fifty pounds; barley, forty-eight pounds; malt, thirty-two pounds; bran, twenty pounds; beans, sixty pounds; clover seed, sixty pounds; Hungarian and millet seed, fifty pounds; potatoes, sixty pounds; sweet potatoes, fifty pounds; turnips, fifty-six pounds; flax seed, fifty-six pounds; onions, fifty-seven pounds; salt, eighty pounds; castor beans, forty-six pounds; hemp seed, forty-eight pounds; native blue grass seed, fourteen pounds; English blue grass seed, twenty-two pounds; timothy seed, forty-five pounds; dried peaches, thirty-three pounds; dried apples, twenty-four pounds; green apples, forty-eight pounds; parsnips, fifty pounds; carrots, fifty pounds; beets, fifty-six

pounds; tomatoes, fifty-six pounds; peaches, forty-eight pounds; shelled dried peas, sixty pounds, and alfalfa seed, sixty pounds; oats, thirty-two pounds.

SEC. 12. A standard loaf of bread sold or offered for sale in this state shall weigh one pound and a standard loaf of bread need not be labeled with a statement of its weight. Whenever a loaf of bread sold or offered for sale weighs more or less than a pound, it shall be labeled in plain, intelligible English words and figures with its correct weight, together with the name of its manufacturer.

Standard
bread loaf

SEC. 13. Butter in a standard package or container, sold or offered for sale in this state, shall weigh one pound and a standard package or container of butter need have no statement of the net weight of its contents thereon. Whenever butter is sold or offered for sale in a package or container, the net weight of which is more or less than one pound, such package or container shall be labeled in plain intelligible English words and figures with the correct net weight of its contents, together with the name of the manufacturer or jobber.

Butter

SEC. 14. All milk or cream that is sold or offered for sale in this state in bottles shall be sold or offered for sale only in bottles containing standard gallons, half-gallons, quarts, pints or half-pints. All other liquid commodities shall be sold only by standard liquid measure or standard weight, except where parties otherwise agree.

Milk or
cream

SEC. 15. Berries and small fruits whenever sold or offered for sale in this state in boxes, shall be sold or offered for sale in boxes containing a standard dry quart or dry pint, and if said boxes contain more or less than this amount the information must be given the purchaser, or such boxes must be labeled in plain, intelligible English words and figures with a correct statement of the quantity of its contents.

Berries, etc.

SEC. 16. A standard cord of firewood sold or offered for sale in this state shall be and contain one hundred and twenty-eight cubic feet, well stowed and packed. And when delivering firewood to a purchaser the vender shall give, or cause to be given therewith to such purchaser, a written statement of the quantity, in terms of the standard cord, of the firewood so delivered.

Firewood

SEC. 17. A standard ton of coal sold or offered for sale in this state shall weigh two thousand pounds. And when delivering coal to a purchaser the vender shall give, or cause to be given, therewith to such purchaser a written statement of the weight, in terms of the standard ton, of the coal so delivered. When coal is sold by the sack the contents of such sack shall weigh one hundred pounds.

Ton of coal

SEC. 18. It shall be unlawful for any person to put up any commodity or article of merchandise into a package or container and sell or offer for sale in this state such commodity or article of merchandise in that form without having such package or container labeled in plain, intelligible English words

All packages
to bear cor-
rect state-
ment of
weight, num-
ber, etc.

Proviso

and figures with a correct statement of the net weight, measure or numerical count of its contents; *provided*, that nothing in this section shall prevent the putting up of commodities or articles of merchandise, which have been previously sold by net weight, measure or numerical count, into packages or containers for the purpose of delivering or transporting such commodities or articles of merchandise.

Mutual
agreement,
when

SEC. 19. It shall be unlawful for any person to sell or offer for sale in this state any commodity or article of merchandise, except by true net weight, measure or numerical count, except where the parties otherwise agree. Contracts for work to be done, or for anything to be sold by weight or measure, shall be construed according to the standards hereby adopted as the standards of this state, except where the parties have agreed upon any other calculations or measurement, and all statements and representations of any kind referring to the weight or measure of commodities or articles of merchandise shall be understood in the terms of the standards of weights or measures aforesaid.

False or
short weight
or measure
unlawful

SEC. 20. It shall be unlawful for any person, in buying or selling any commodity or article of merchandise, to make or give false or short weight or measure, or to sell or offer for sale any commodity or article of merchandise less in weight or measure than he represents, or to use a weight, measure, balance or measuring device that is false and does not conform to the authorized standard for determining the quantity of any commodity or article of merchandise, or to have a weight, measure, balance or measuring device adjusted for the purpose of giving false or short weight or measure, or to use in buying or selling of any commodity or article of merchandise a computing scale or device indicating the weight and price of such commodity or article of merchandise upon which scale or device the graduations or indications are falsely or inaccurately placed, either as to weight or price.

Penalties

SEC. 21. Any person who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and, upon conviction thereof before the justice of the peace having jurisdiction of the offense, shall be fined in a sum not to exceed two hundred dollars, or by imprisonment in the county jail for not more than sixty days, or by both such fine and imprisonment, and any weight, measure, balance or measuring device which shall have been used by him in such violation shall be ordered confiscated and destroyed. He shall also be liable in damages to the party injured by his violation in treble the amount of the property wrongfully taken or not given and twenty dollars in addition thereto, to be recovered in a court of competent jurisdiction. The selling and delivery of any commodity or article of merchandise shall be *prima facie* evidence of the representation on the part of the vender, that the quantity sold and delivered was the quantity bought by the vendee. There shall be taken into consideration the usual

Treble
damages to
sufferer

and ordinary leakage, evaporation or waste that there may be from the time a package or container is filled by the vender until he sells the same. A slight variation from the stated weight, measure or quantity for individual packages is permissible; *provided*, that variation is as often above as below the weight, measure or quantity stated. Proviso

SEC. 22. It shall be the duty of the district attorney to prosecute all violations of the provisions of this act occurring within his county. District attorney to prosecute

SEC. 23. The director of the Nevada Agricultural Experiment Station is hereby designated and constituted *ex officio* sealer of weights and measures and shall be charged with the proper enforcement of the provisions of this act, and he may appoint such deputy or deputies as he may deem necessary therefor. He shall have the care and custody of the authorized public standards of weights and measures and of balances and other apparatus of all kinds owned by the state under section one of this act. He shall maintain the state standards in good order and submit them at least once in every ten years to the National Bureau of Standards for verification. He shall at once, after the approval of this act, obtain from the Government of the United States all standard weights and measures mentioned in this act which this state does not at that time own. Official sealer

SEC. 24. It shall be the duty of the sealer and his duly authorized deputy to test and prove all weights, measures, balances and measuring devices, when requested so to do by any person, without expense to such person, and when the same are found or made to conform to the authorized standards he shall seal and mark such weights, measures, balances and measuring devices with a seal to be kept by him for that purpose. It shall be the duty of the sealer and his deputy to inspect and test all weights, measures, balances and measuring devices and when any weight, measure, balance or measuring device is found by the sealer or his deputy or deputies to be false or untrue or not of the approved type, or which does not conform to the standards, or which cannot be made to conform to the standards by such means as the sealer or his deputy may have at his disposal he shall condemn the same and mark it condemned in a conspicuous manner, and such condemnation mark shall not be removed or defaced except by authorization of the said sealer or his deputy. It shall be the duty of the sealer and his deputy to inspect packages or containers of commodities or articles of merchandise, put up and sold or offered for sale in this state, and he shall mark in a conspicuous manner any package or container which does not have a statement of the net weight, measure or numerical count of its contents on it, and such mark shall not be removed or defaced except by authorization of the said sealer or his deputy. Whenever the sealer or his deputy has reason to believe that there has been a violation of any of the pro- Duties of sealer and assistants

visions of this act he shall swear to, or cause to be sworn to, a complaint before the justice of the peace having jurisdiction, charging the suspected person with a misdemeanor, and shall take charge of, pending the trial of the accused person, the weight, measure, balance or measuring device used in such suspected violation.

Powers of
sealer and
deputies

SEC. 25. The sealer and his duly authorized deputy shall have full power to enter any premises in or on which any weights, measures, balances or measuring devices may be located or used for the purpose of trade, or any premises in or on which any commodities or articles of merchandise are put up into packages or containers for the purposes of trade, for the purpose of inspecting, adjusting, sealing, condemning or marking such weights, measures, balances or measuring devices and such packages or containers.

Unlawful to
obstruct
sealer or
deputies

SEC. 26. It shall be unlawful for any person to hinder, obstruct or in any way interfere with the sealer or his duly authorized deputy while in the performance of said inspection, and it shall be unlawful for any person to fail to produce upon demand by the sealer or his deputy all weights, measures, balances or measuring devices and all packages or containers of commodities or articles of merchandise, in or upon his place of business or in his possession, for use in manufacture or trade. Any such person so violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not to exceed one hundred dollars, or by imprisonment in the county jail for not more than thirty days, or by both such fine and imprisonment,

Sealer must
test before
condemning
weights, etc.

SEC. 27. If the sealer or any one of his deputies shall seal any weight, measure, balance or measuring device before first testing and making the same conform to the authorized standard or if he shall condemn or take charge of any weight, measure, balance or measuring device without first testing the same, the one so doing shall be deemed guilty of a misdemeanor and upon conviction thereof in a court of competent jurisdiction shall be subject to a fine of not less than five dollars nor more than one hundred dollars.

Neglect of
duty by
sealer or
deputies,
how
punished

SEC. 28. If the sealer or any of his deputies neglects to keep the standards under his charge in good order or repair, or suffers any of them through his neglect to be lost, damaged or destroyed, or fails to perform any of the duties imposed upon him by this act, the one so doing shall be deemed guilty of a misdemeanor and upon conviction thereof, in a court of competent jurisdiction, shall be subject to a fine of not less than ten dollars nor more than two hundred dollars.

Sealer to
keep record

SEC. 29. The sealer shall keep a record of all the weights, measures, balances or other measuring devices sealed, and of all convictions had and confiscations made under this act and shall make an annual report to the governor on or before January first of each year, a copy of which shall be filed with the

National Bureau of Standards. He shall issue from time to time regulations for the guidance of his deputies and the said regulations shall govern the procedure to be followed by the aforesaid deputies in the discharge of their duties.

Sec. 30. The terms "package" and "container" as used in this act shall include any carton, box, barrel, bag, keg, drum, bundle, jar, jug, crock, demijohn, bottle, crate, basket, hamper, pail, can, parcel, package or paper wrapper. Terms defined

Sec. 31. The term "person" as used in this act shall be construed to impart both singular and plural as the case demands and shall include corporation, company, society and association. When construing and enforcing the provisions of this act omission or failure of any officer, agent or other person acting for or employed by any corporation, company, society or association within the scope of his employment or office, shall in every case be also deemed omission or failure of such corporation, company, society or association, as well as that of the person. Person defined

Sec. 32. The sum of four thousand dollars (\$4,000) is hereby appropriated out of any money in the state treasury, not otherwise appropriated, for the compensation of sealer, deputy or deputies, office supplies and for apparatus necessary to carry out the provisions of this act. The state controller is hereby authorized to draw his warrants for the sum herein appropriated in favor of the Nevada Agricultural Experiment Station, and the state treasurer is hereby directed to pay the same. Appropriation

Sec. 33. This act shall take effect immediately upon its approval. In effect

Sec. 34. All acts and parts of acts in conflict with or inconsistent with this act are hereby repealed. Repeal

CHAP. 44—*An act granting to the Tonopah Sewer and Drainage Company the right, privilege and franchise to supply and furnish to the town of Tonopah and additions to said town sewage and sewer service, and to charge rentals therefor; and ratifying and confirming with certain amendments a certain grant of sewer franchise made to the Tonopah Sewer and Drainage Company on the first day of May, 1905, by the board of county commissioners of Nye County, and other matters relating thereto.*

[Approved March 10, 1911]

WHEREAS, The board of county commissioners of Nye County, State of Nevada, did on the first day of May, 1905, duly authorize, enter into, and execute a certain contract and grant in words and figures as follows, to wit: Preamble

Know All Men by These Present: That we, the undersigned county commissioners of Nye County, Nevada, hereby grant

Preamble unto F. S. Lack of Tonopah, Nye County, Nevada, and to his assigns, successors, executors, and administrators the following rights, privileges, franchises and charters:

Of laying down, continuing, and maintaining sewer pipes and all apparatus and appliances for the construction of a sewerage system in, upon, along and through all the streets, avenues, alleys and public places now in the town of Tonopah, or which may hereafter be laid out or dedicated, subject to the following conditions:

If the said F. S. Lack, his successors, assigns, executors or administrators shall open or cause to be opened any street, avenue, alley, or other public place for the laying of any pipe, manhole, or other apparatus or appliance, he shall forthwith restore the same to as good condition as the same was before such opening, at his own expense.

The said F. S. Lack shall permit connections to be made with said sewerage system by parties desiring the same for the premises abutting on the streets, avenues or alleys in which he may have a pipe laid, upon application of the owners of the premises, under such reasonable rules as the said F. S. Lack shall prescribe.

The said F. S. Lack or his assigns is hereby granted the right to charge such persons as may connect their premises with the said sewer system the following monthly rates payable at the office of said F. S. Lack monthly, in advance, on the first day of each month:

Residence, one to three rooms.....	\$3.00 per month
Residence, four to six rooms.....	4.00 per month
Residence, seven to nine rooms.....	5.00 per month
Residence	
Bakery	\$5.00
Barber shop.....	10.00
Billiard room.....	5.00
Boarding-houses	10.00
Brewery	10.00
Butcher shop.....	5.00
Candy factory.....	5.00
Cigar manufactory.....	5.00
Club rooms.....	5.00
Confectionery.....	5.00
Saloon.....	10.00
Halls	5.00
Hotels	25.00
Ice cream parlors.....	5.00
Laboratory	5.00
Livery stable	10.00
Offices	2.00
Photograph gallery.....	5.00
Restaurants.....	10.00
Rooming-houses, one to ten rooms, 75 cents per room per month.	
Schoolhouses and public buildings, free use given.	
Soap factory.....	10.00
Store	5.00

If payment thereof be made in advance for one party pay- Preamble
ing said rental in advance to receive a discount of ten per cent
on the rate charged.

The right and privileges herein granted are for a period of
fifty years from and after the passage of this franchise.

At any time after the expiration of ten years from and after
the passage and granting of this franchise, in case the town
shall elect to do so, the said sewerage system may be pur-
chased by said town, and in case the parties cannot agree on
a price to be paid for the same, after such election to purchase,
its cash value shall be determined by arbitration by five dis-
interested persons, none of whom shall be residents of the
town of Tonopah, two of them to be chosen by the town, two
by the said F. S. Lack or his successors or assigns, and the
fifth by the four so chosen; and the decision of the majority
of said board shall be binding and final, and upon the pay-
ment by the said town of the amount awarded or agreed upon,
the said F. S. Lack or his successors or assigns shall convey
to said town all the said sewerage system, together with all
easements, rights of way and privileges appertaining thereto.

The town of Tonopah shall have the right to connect with
and use the sewerage system for its public buildings free of
charge, but under the same regulations as are required from
private users.

That said users of said sewerage system shall not be per-
mitted to connect with said sewerage system until a proper
grease trap is constructed upon the premises through which
all water containing grease or oil shall be discharged before
entering said sewer, and the said F. S. Lack or his successors
or assigns shall have the privilege of inspecting such premises
before and after connection is permitted with the said sewer-
age system.

Upon the failure of the owner of any premises to pay the
rate as herein specified the said Lack or his successors or
assigns may disconnect the said premises from the said sewer-
age system.

The county commissioners of the county of Nye shall pass
such resolutions and ordinances from time to time as are
necessary to protect said Lack or his successors or assigns
against any person using said sewerage system without the
consent of the said Lack.

All pipes and other apparatus composing said sewerage sys-
tem shall be and remain the sole and absolute property of said
Lack and his assigns or successors until the same shall be pur-
chased as hereinbefore provided, and the said Lack his success-
ors or assigns shall forever be considered and entitled to be in
the possession thereof, except in the case of purchase by the
said town.

The said F. S. Lack or his assigns shall complete at least

Preamble two miles of said sewerage system within six months after the granting of this franchise.

W. T. CUDDY,
EUGENE LOCKE,
WILLIAM ROGERS.

WHEREAS, The Tonopah Sewer and Drainage Company, a corporation, is the successor in interest by deed of conveyances, of all the rights, privileges and franchises, of the said F. S. Lack under and by virtue of said franchise and grant above set out; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Contract
confirmed

SECTION 1. That said contract and grant hereinbefore set forth and the action of the board of county commissioners of said Nye County in authorizing, entering into, and executing the same are hereby ratified, sanctioned, approved, confirmed and declared valid; and the said Tonopah Sewer and Drainage Company is hereby granted the right, privilege, and franchise to supply and furnish the town of Tonopah, Nye County, Nevada, sewage and a sewer system and to conduct the same therein, according to the terms of said franchise and grant, and to any and all additions that may be made to said town, and to charge rental therefor according to the terms of said franchise; and to excavate for, install and maintain all such mains, laterals, pipes, connections and manholes, and other appliances and apparatus as may be necessary, along any and all streets, public highways, avenues, and alleys of said town; which said privileges, rights and franchise shall be held and enjoyed and exercised in the said town of Tonopah subject to, in accordance with, and for the length of time prescribed by the terms, covenants, provisions, agreement and conditions of said grant and franchise; *provided*, that charges for and character of services rendered by said Tonopah Sewer and Drainage Company, its successors and assigns, shall always be subject to regulation and control by any public service commission or similar body in the State of Nevada invested with power to regulate and control charges and service of public utilities, and no court shall be deemed to be deprived of any powers or jurisdiction now existing with respect to rates.

CHAP. 45—*An act to authorize the board of county commissioners of Mineral County to issue bonds for the purpose of creating a fund for the repairing and furnishing of county buildings, in the town of Hawthorne, the payment for transcribing of records and the payment of current expenses.*

[Approved March 10, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The board of county commissioners of Mineral County, Nevada, are hereby authorized and empowered to prepare and issue bonds of said county, after the first day of April, 1911, for an amount not exceeding the sum of fifteen thousand dollars, exclusive of interest, for the purpose of providing funds for the repairing and the furnishing of county buildings in the town of Hawthorne, the payment for transcribing of records and payment of current expenses of the county of Mineral.

Bonds
of Mineral
County for
repairs, etc.

SEC. 2. Prior to the first Monday in May, 1911, the board of county commissioners of said county shall cause said bonds to be prepared and ready for issuance. Said bonds shall be signed by the chairman of the board, countersigned by the county treasurer, and authenticated with the seal of the county. Coupons for interest shall be attached to each bond so that the same may be removed without injury to the bonds, and each of such coupons shall be consecutively numbered and signed by the chairman of said board and the county treasurer.

Commission-
ers to issue
bonds

SEC. 3. The clerk of the board of county commissioners shall keep a record of all proceedings under the provisions of this act, showing the number and date of each bond and to whom issued.

Record kept
by clerk

SEC. 4. The board of county commissioners of Mineral County are hereby authorized and directed to negotiate the sale of said bonds by advertising for sealed proposals, or by private sales, as they may deem for the best interest of the county; *provided*, that all bonds shall be made for gold coin of the United States, and the interest thereon shall be payable in like gold coin.

Negotiation
of bonds

SEC. 5. Said bonds shall be numbered from one to sixteen consecutively; fourteen of said bonds shall be for the sum of one thousand dollars each, and two for the sum of five hundred dollars each; and the interest on the same shall not exceed six per cent per annum, payable annually on the first Monday in January in each year at the office of the county treasurer of said Mineral County, and in no case shall any of said bonds run for a longer period than ten years.

Denomina-
tion of bonds

SEC. 6. For the purpose of creating a fund for the payment of the bonds authorized by this act and the interest thereon, the board of county commissioners of Mineral County are hereby authorized and required to levy and collect annually

Bond fund,
how created

Bond fund,
how created

a special tax on the assessed value of all property, both real and personal, including proceeds of mines within the boundaries of said Mineral County, until such bonds and interest thereon shall have been fully paid, sufficient to pay the interest on said bonds and to pay and retire one-half of the bonds actually issued on the first Monday in January, 1916, and to pay and retire the balance of said bonds actually issued on the first Monday in January, 1921. Such tax shall be levied and collected in the same manner and at the same time as other taxes are assessed and collected, and the proceeds thereon shall be kept by the county treasurer in a special fund to be known as the "County Buildings Bond Fund."

Interest paid
annually

SEC. 7. It shall be obligatory on said county and its proper officers to fully pay the interest on said bonds annually, and to fully pay and retire one-half of the bonds actually issued on the first Monday in January, 1916, and to fully pay and retire the balance of said bonds actually issued on the first Monday in January, 1921, beginning with the first number thereof and so on consecutively.

Special tax
to cease,
when

SEC. 8. Whenever the bonds and interest provided for in this act shall have been fully paid the tax authorized by this act shall cease, and all moneys remaining in said bond fund shall, by order of the board of county commissioners, be transferred to the general fund of said county.

Treasurer to
cancel paid
bonds

SEC. 9. Whenever the county treasurer shall pay anything on the bonds issued under the provisions of this act, he shall cancel the same by writing across the face thereof, "paid," together with the date of such payment, sign his name thereto, and turn the same over to the county auditor, taking his receipt therefor, which receipt shall be filed with the clerk of the board of county commissioners, and the auditor shall credit the treasurer on his books with the amount so paid.

Faith
of the State
of Nevada
pledged

SEC. 10. The faith of the State of Nevada is hereby pledged that this act shall not be repealed, nor taxation thereby imposed omitted, until all the bonds and coupons issued under and by virtue thereof shall have been paid in full, as in this act specified.

CHAP. 46—*An act to create a legislative fund.*

[Approved March 11, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Additional
legislative
fund

SECTION 1. For the purpose of paying the per diem of members of the present legislature, the salaries of the attachés and the incidental expenses of the respective houses thereof, the state treasurer is hereby authorized and required to set apart, from the moneys now in the general fund not otherwise specially appropriated, the sum of fifteen thousand dollars, which shall constitute the additional legislative fund.

SEC. 2. The state controller is hereby authorized and required to draw his warrant on said fund in favor of the members and attachés of the senate and assembly for per diem, compensation and incidental expense of the respective houses, when properly certified to him, in accordance with law, and the state treasurer is hereby authorized and required to pay the same.

Duties of controller and treasurer

SEC. 3. All moneys remaining in said fund at the adjournment of the legislature shall revert to the general fund.

Balance to revert

CHAP. 47—*An act authorizing the county commissioners of Elko County to reestablish the boundaries of school districts, voting precincts, and townships within Elko County, and matters properly connected therewith.*

[Approved March 11, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The county commissioners of Elko County are hereby empowered to reestablish the boundaries of any or all of the several school districts, voting precincts, or townships within that county, whenever the said county commissioners shall decide that the boundaries of any such voting precinct, school district, or township are indefinite, or faulty, or illegal for any reason; *provided*, that the county commissioners shall, in reestablishing the boundaries of any school district, voting precinct, or township, for the purposes mentioned herein, establish the boundaries of the said school district, voting precinct, or township so that the said boundaries shall conform as closely as possible to such former boundaries of the school district, voting precinct, or township as the county commissioners shall decide are most nearly correct at the time of reestablishing the said boundaries.

Elko commissioners empowered to reestablish various district boundaries

SEC. 2. In reestablishing the boundaries of any school district, voting precinct, or township for the purposes mentioned in section one of this act, the commissioners shall, as far as practicable, make use of the corners of the United States land subdivisions for the corners and turning points of the reestablished boundaries of such school district, voting precinct or township.

To conform to U. S. survey lines

SEC. 3. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

Repeal

CHAP. 48—*An act to provide for the relief of H. C. Jepson, clerk and treasurer of Douglas County.*

[Approved March 11, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Relief of
clerk
of Douglas
County

SECTION 1. The sum of seventy-four dollars is hereby appropriated out of any money in the game and fish preservation fund of Douglas County, to be paid to H. C. Jepson, clerk and treasurer of Douglas County, for extra labor performed in the years 1909 and 1910, in the issuance of fishing and hunting licenses and in keeping record thereof, his compensation consisting solely of fees.

County to
pay

SEC. 2. The county auditor of said Douglas County is hereby directed to draw his warrant in favor of the said H. C. Jepson for seventy-four dollars, and the county treasurer is hereby directed to pay the same.

CHAP. 49—*An act to authorize the board of county commissioners of Churchill County to issue bonds for the purpose of creating a fund for the obtaining of premises and erection and furnishing of a county telegraph and telephone building in the city of Fallon in said county.*

[Approved March 11, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Bonds for
telegraph
and
telephone
building in
Fallon

SECTION 1. The board of county commissioners of Churchill County, Nevada, are hereby authorized and empowered to prepare and issue bonds of said county for an amount not exceeding the sum of seven thousand five hundred dollars, exclusive of interest, for the purpose of providing funds for the obtaining of premises and erection and furnishing of a county telegraph and telephone building in the city of Fallon, in said county.

Bonds, how
prepared

SEC. 2. Prior to the first Monday in May, nineteen hundred and eleven, the board of county commissioners of said county shall cause said bonds to be prepared and ready for issuance. Said bonds shall be signed by the chairman of the board, countersigned by the county treasurer, and authenticated with the seal of the county. Coupons for interest shall be attached to each bond, and each of such coupons shall be consecutively numbered and signed by the chairman of said board and the county treasurer.

Record kept

SEC. 3. The clerk of the board of county commissioners shall keep a record of all proceedings under the provisions of this act, showing the number and date of each bond, and to whom issued.

SEC. 4. The board of county commissioners of Churchill County are hereby authorized to negotiate the sale of said bonds, by advertising for sealed proposals, or by private sales as they may deem for the best interests of the county; *provided*, that no bonds shall be sold for less than their par value, and that all bonds shall be made for gold coin of the United States, and the interest thereon shall be payable in like gold coin.

Negotiation
of bonds

SEC. 5. Said bonds shall each be in the sum of five hundred dollars, and the interest on the same shall not exceed six (6) per cent per annum, payable annually on the first Monday in January of each year, at the office of the county treasurer of said Churchill County, and in no case shall any of said bonds run for a longer period than fifteen years.

Denomina-
tion of bonds

SEC. 6. For the purpose of creating a fund for the payment of the bonds authorized by this act, and the interest thereon, the board of county commissioners of Churchill County are hereby authorized and required to levy and collect annually a special tax of not exceeding fifteen cents upon each one hundred dollars of assessed value of all property, both real and personal, within the boundaries of said Churchill County, until such bonds and the interest thereon shall have been fully paid. Such tax shall be levied and collected in the same manner and at the same time as other taxes are assessed and collected, and the proceeds thereof shall be kept by the county treasurer in a special fund to be known as the "Churchill County Telegraph and Telephone Fund."

Redemption
and interest
fund, how
created

SEC. 7. Whenever the bonds and interest provided for in this act shall have been fully paid, the tax authorized by this act shall cease and all moneys remaining in said Churchill County telegraph and telephone fund shall, by order of the board of county commissioners, be transferred to the general fund of said county.

Special tax
to cease,
when

SEC. 8. Should the holder of said bonds or any part thereof, for any cause whatever, fail to present said bonds to the county treasurer for payment as they become due, all interest shall thereafter immediately cease.

Interest
ceases, when

SEC. 9. Whenever the county treasurer shall pay any coupons on bonds, issued under the provisions of this act, he shall cancel the same by writing across the face thereof, the word "paid," together with the date of such payment, sign his name thereto, and turn the same over to the county auditor, taking his receipt therefor, which receipt shall be filed with the clerk of the board of county commissioners, and the auditor shall credit the treasurer on his books with the amount so paid.

Treasurer to
cancel paid
bonds

SEC. 10. The faith of the State of Nevada is hereby pledged that this act shall not be repealed, nor taxation thereby imposed omitted, until all the bonds and coupons issued under and by virtue thereof shall have been paid in full.

Faith
of State of
Nevada
pledged

CHAP. 50--*An act concerning certain county officers of the county of Churchill, State of Nevada, fixing their salaries and compensation, allowing certain deputies; providing for their salaries and compensation, and other matters properly relating thereto.*

[Approved March 10, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Salaries of Churchill County officers SECTION 1. From and after the first day of April, 1911, the county officers of Churchill County, named in this act, shall receive the following salaries and fees in full compensation for their services:

Sheriff SEC. 2. The sheriff shall receive the sum of two thousand dollars per annum and such fees as are allowed by law in civil cases; he shall have authority to appoint a deputy with an annual salary of seven hundred and twenty dollars.

Recorder SEC. 3. The county recorder and ex officio auditor shall receive the sum of eighteen hundred dollars per annum. All fees authorized by law shall be collected by him and paid to the county treasurer on the first Monday of each and every month, and he shall, at the same time, prepare and file with the county treasurer a full and accurate itemized statement, under oath, of all such fees collected by him in his official capacity during the month previous, and also a duplicate copy thereof with the board of county commissioners. He is authorized to appoint deputies, the salaries of such deputies to be fixed by the board of county commissioners and for such time as said board may deem necessary.

Clerk SEC. 4. The county clerk and ex officio clerk of the board of County Commissioners shall receive the sum of eighteen hundred dollars per annum; he shall have authority to appoint a deputy with an annual salary of twelve hundred dollars. All fees authorized by law shall be collected by said county clerk and paid to the county treasurer on the first Monday of each and every month, and he shall at the same time prepare and file with the county treasurer a full and accurate itemized statement, under oath, of all such fees collected by him in his official capacity during the month previous, and also a duplicate copy thereof with the board of county commissioners.

Treasurer SEC. 5. The county treasurer shall receive a salary of eighteen hundred dollars per annum, which shall be in full for all services rendered.

Assessor SEC. 6. The county assessor shall receive a salary of two thousand dollars per annum, which shall be in full for all services rendered.

District attorney SEC. 7. The district attorney shall receive a salary of eighteen hundred dollars per annum, and shall also be allowed his actual expenses when called from the county-seat in discharge of the official duties of the office of district attorney. The above

salary and expenses shall be in full for all services rendered.

SEC. 8. The county commissioners shall each receive the sum of six hundred dollars per annum, which shall be compensation in full for all services rendered. Commissioners

SEC. 9. All salaries herein provided for shall be payable in twelve equal installments. The county auditor shall on the first Monday of each month draw his warrant on the salary fund in favor of each of the officers named herein for the salary due said officer for the last preceding month and the county treasurer shall pay said warrant out of said fund. Salaries payable monthly

SEC. 10. All acts and parts of acts in conflict with this act are hereby repealed. Repeal

CHAP. 51—*An act to amend section ninety-nine of an act entitled "An act to provide revenue for the support of the government of the State of Nevada," and to repeal certain acts relating thereto, approved March 23, 1891.*

[Approved March 10, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section ninety-nine of an act entitled "An act to provide revenue for the support of the government of the State of Nevada," is hereby amended so as to read as follows:

Section 99. Each male resident of this state, over twenty-one and under sixty years of age (uncivilized American Indians excepted), and not by law exempt, shall pay an annual poll tax, for the use of the state and county, of three dollars; and for the purposes of this act, any person shall be deemed to be a resident of this state, who shall reside in this state, or who shall be employed therein upon any public or private works, for a period exceeding ten days; *provided*, that any person who has paid a poll tax in any other state or territory and has in his possession a receipt therefor, shall not be required to pay a poll tax in this state for the year represented by such poll-tax receipt issuing in another state or territory. Disposition of poll tax
Proviso

CHAP. 52—*An act to amend an act entitled an act to amend an act entitled "An act to segregate certain county offices in Elko County, State of Nevada, and fixing their salaries," approved March 27, 1907, approved March 6, 1909.*

[Approved March 10, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section three of the above-entitled act is hereby amended to read as follows:

Section 3. The county recorder, and as ex officio auditor,

Salary of
recorder of
Elko County

shall receive the sum of two thousand dollars per annum; he shall pay into the county treasury each month all moneys collected by him as fees. The county recorder, and as ex officio auditor, may appoint one deputy, who shall receive a salary of twelve hundred dollars per annum, and one recording clerk, who shall receive a salary of twelve hundred dollars per annum.

CHAP. 53—*An act appropriating four thousand eight hundred dollars for the support and maintenance of the Florence Crittenton Mission of Nevada, Incorporated, located at Reno, Washoe County, Nevada.*

[Approved March 10, 1911]

Preamble

WHEREAS, A number of the citizens of the State of Nevada have incorporated under the laws of the State of Nevada the Florence Crittenton Mission, Incorporated, and a branch of the National Crittenton Mission; and

Florence
Crittenton
Mission,
support of

WHEREAS, Among other things, the purposes for which said corporation is formed are: To aid and encourage destitute, homeless, and friendless women to lead lives of respect and to reach positions of honorable self-support; to provide a temporary home and employment for women and girls who have been led from the path of virtue and who sincerely desire to reform, and to aid and encourage them to seek respectability and reformation of character; to provide shelter for young and unprotected mothers with their children, and to encourage and assist young mothers in caring for their children, etc.; and

WHEREAS, Said corporation has had no capital stock nor shares of stock; and its members consist of men and women who are in sympathy with, and who voluntarily contribute to its purposes, and the contributions of said corporation since its organization have been very small; and

WHEREAS, Said corporation has cared for many who have sought shelter, and the demands of said corporation are continually increasing, and it is without funds to properly care for those seeking its protection and carrying out the great objects and purposes for which it is organized; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

\$4,800
appropriated

SECTION 1. The sum of four thousand eight hundred dollars is hereby appropriated out of any moneys in the state treasury, not otherwise appropriated, for the purpose of assisting the Florence Crittenton Mission of Nevada, Incorporated, in carrying out the objects and purposes for which it was organized.

Paid
monthly

SEC. 2. Said four thousand eight hundred dollars thus appropriated shall be paid to the treasurer of said corporation

in installments of two hundred dollars per month for a period of twenty-four (24) months.

SEC. 3. The state controller is hereby authorized and required to draw his warrant in favor of the treasurer of said corporation for the sums named in this act, and the state treasurer is hereby authorized and required to pay the same.

Duties of controller and treasurer

CHAP. 54—*An act to amend an act entitled "An act to segregate certain county officers in Elko County, State of Nevada, and fixing their salaries, to take effect on the first day of April, 1911," approved March 27, 1907.*

[Approved March 10, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section five of the above-entitled act is hereby amended so as to read as follows:

Section 5. The county treasurer, and as ex officio tax receiver, shall receive the sum of two thousand dollars per annum, which shall be in full for all services rendered by him, and he shall pay into the county treasury each month all moneys collected by him as fees, including the amount received and paid by the State of Nevada for the state's pro rata of said county treasurer's salary.

Salary of treasurer of Elko County

CHAP. 55—*An act to provide for the erection of buildings and for the maintenance and improvement of the property of the state at the state fish hatchery, at Verdi, Washoe County, Nevada, and to appropriate money therefor.*

[Approved March 10, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The state board of fish commissioners is hereby authorized and directed to construct upon state property at Verdi, Nevada, suitable buildings for use as dwelling-house, stable and store-house, and make such other improvements as it may deem necessary for the maintenance of all state property under its control.

Buildings for fish hatchery at Verdi

SEC. 2. For the purpose of complying with and carrying out the provisions of this act the sum of eight thousand (\$8,000) dollars is hereby appropriated out of any moneys in the general fund of the state treasury, not otherwise appropriated, to be expended under the direction of the state board of fish commissioners, and the state controller is hereby authorized and directed to draw his warrant on the state treasury for the

\$8,000 appropriated

above said amount in favor of the state board of fish commissioners, at such times and in such amounts as may be approved by the state board of examiners, and the state treasurer is hereby directed to pay the same.

SEC. 3. This act shall take effect and be in force immediately after its passage and approval.

In effect

CHAP. 56—*An act to amend section 1 of an act entitled "An act to amend an act entitled 'An act to prevent pollution or contamination of the waters of the lakes, rivers, streams and ditches in the State of Nevada, prescribing penalties, and making an appropriation to carry out the provisions of this act,' approved March 20, 1903," and further approved March 12, 1907, approved March 24, 1909.*

[Approved March 10, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of the above-entitled act is hereby amended so as to read as follows:

Unlawful to
pollute any
stream

Section 1. Any person or persons, firm, company, corporation or association in this state, or the managing agent of any person or persons, firm, company, corporation or association in this state, or any duly elected, appointed or lawfully created state officer of this state, or any duly elected, appointed or lawfully created officer of any county, city, town, municipality, or municipal government in this state, who shall deposit, or who shall permit or allow any person or persons in their employ or under their control, management or direction to deposit in any of the waters of the lakes, rivers, streams and ditches in this state any sawdust, rubbish, filth, or poisonous, or deleterious substance or substances, liable to affect the health of persons, fish, or live stock, or place or deposit any such deleterious substance or substances in any place where the same may be washed or infiltrated into any of the waters herein named, shall be deemed guilty of a misdemeanor, and upon conviction thereof in any court of competent jurisdiction shall be fined in any sum not less than fifty dollars, nor more than five hundred dollars, exclusive of court costs; *provided*, that in cases of state institutions, municipalities, towns, incorporated towns or cities, when, owing to the magnitude of the work, immediate correction of the evil is impracticable, then in such cases the authorities shall adopt all new work, and as rapidly as possible reconstruct the old systems of drainage sewerage so as to conform with the provisions of this act; *and provided further*, that all such new reconstructed systems shall be completed before March 20, 1915; *provided*, that nothing in this act shall be so construed as to permit mining or milling companies to dump tailings

Provisos

directly into any stream in this state so as to prevent or impede the natural flow of such stream. Nothing in this act shall be so construed as to apply to any quartz mill or ore reduction works in this state. Exceptions

CHAP. 57—*An act to regulate the salary and compensation of the justices of the peace of Wells Township and Carlin Township, of Elko County, State of Nevada.*

[Approved March 10, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. From and after the first day of March, A. D. 1911, the board of county commissioners of Elko County are hereby empowered and directed to appropriate from the treasury of said county and to pay to the justice of the peace of Wells Township, and to the justice of the peace of Carlin Township of said county the sum of fifty dollars (\$50) monthly as a salary; *provided*, that said justices of the peace shall be allowed to retain all fees in civil cases as now provided by law. The regularly elected or appointed justice of the peace shall pay into the county treasury each month all moneys collected by him as fees, save as hereinabove provided. Salary of justices of the peace in Elko County
May return civil fees

CHAP. 58—*An act to amend an act entitled "An act to incorporate the town of Reno, and to establish a city government therefor," approved March 16, 1903, approved March 13, 1905.*

[Approved March 10, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Subdivision third of section 10, article XII, of the above-entitled act is hereby amended so as to read as follows: Amending Reno charter

Section 10. Subdivision third—To levy and collect annually for general purposes a tax of not to exceed one per cent upon the assessed value of all real and personal property within the city, and which is by law taxable for state and county purposes; and in addition thereto to levy and collect annually a tax of not to exceed one-quarter of one per cent upon the assessed value of all real and personal property within the city which is by law taxable for state and county purposes; to provide a fund for the payment of the interest on the bonds of the city outstanding, and that may be lawfully issued and sold Tax for certain purposes

hereafter, and to provide a fund for the payment of the principal of such bonds and the redemption thereof as they shall mature, and for no other purpose.

CHAP. 59—*An act fixing and regulating the salary of the constable of Jarbidge Township, county of Elko, State of Nevada, authorizing actual traveling expenses of said constable, appropriating money therefor, and other matters relating thereto.*

[Approved March 13, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Salary of
constable of
Jarbidge,
Elko County

SECTION 1. From and after the first day of April, 1911, the board of county commissioners of Elko County are hereby empowered and directed to appropriate from the treasury of said county, and to pay to the elected or appointed constable of Jarbidge Township of said county, the sum of one hundred dollars (\$100) monthly as a salary; *provided*, that said constable shall be allowed to retain all fees in civil cases as now provided by law, and in criminal cases performed outside of said county he shall be allowed his necessary expenses, but in no event shall said constable charge or collect any fees for services by him rendered to the State of Nevada, or to Elko County.

Restrictions
as to
payment of
salary

SEC. 2. The regularly elected or appointed constable shall pay into the county treasury each month all moneys collected by him as fees, save as hereinabove provided. It is further provided that no salary shall be allowed to said constable until after he shall have filed with the clerk of said board of county commissioners a sworn statement in writing of all fees collected by him in criminal cases during the month for which said salary is asked.

CHAP. 60—*An act to amend section two of an act entitled "An act creating coroner districts, making the justices of the peace ex officio coroners, prescribing their duties and compensation, and repealing all acts and parts of acts in conflict with the provisions of this act," approved March 16, 1909.*

[Approved March 13, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section two of said act is hereby amended to read as follows:

Section 2. All justices of the peace in this state are hereby

made ex officio coroners; *provided*, said ex officio coroners may appoint a deputy or deputies, who shall have power to transact all official business appertaining to said officers to the same extent as their principal; *provided, further*, said ex officio coroners shall be responsible for the compensation of said deputy or deputies, and shall be responsible on their official bonds for all official malfeasance or nonfeasance of the same. All appointments of deputies shall be made in writing, and shall, with the oath of office, be filed in the office of the recorder of the county within which the principal holds and exercises his office.

Justices of the peace as coroners may appoint deputies

CHAP. 61—*An act to amend section 14 of an act entitled "An act creating coroner districts, making the justices of the peace ex officio coroners, prescribing their duties and compensations, and repealing all acts and parts of acts in conflict with the provisions of this act," approved March 16, 1909.*

[Approved March 13, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section fourteen of said act, approved March 16, 1909, is hereby amended so as to read as follows:

Section 14. If the money be demanded within six years, the treasurer shall pay the same to the person legally authorized to receive it, but the same may be paid at any subsequent time to the representatives of the deceased upon an order from the tribunal invested with the power to allow claims against the county.

Regarding payment of money of deceased

CHAP. 62—*An act to fix the salary of the justice of the peace of Caliente Township, Lincoln County, State of Nevada.*

[Approved March 13, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. From and after the passage of this act the board of county commissioners of Lincoln County are hereby authorized and directed to appropriate from the treasury of said county, and pay to the regularly elected or appointed justice of the peace of Caliente Township of said county, the sum of seventy-five (\$75) dollars monthly, as a salary, which shall be compensation in full for all services rendered in criminal cases; *provided*, that said justice of the peace shall retain all fees in civil cases now allowed by law.

Salary of justice of the peace of Caliente, Lincoln County

SEC. 2. The regularly elected or appointed justice of the peace of said township shall pay into the county treasury each

Criminal fees go to county

month all money collected by him as fees in criminal cases.

SEC. 3. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

CHAP. 63—*An act providing for the printing of legislative bills and resolutions, and other matters relating thereto.*

[Approved March 14, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Printer
authorized to
correct
palpable
errors

SECTION 1. The state printer shall print as many copies of every bill and resolution introduced in either house in the state legislature as shall be authorized by resolution of the branch of the legislature in which said bill or resolution is introduced, and in printing such bills and resolutions the state printer is hereby authorized to correct in said printed copies, all errors in spelling, punctuation and grammatical construction as may appear in the original copy thereof, and to supply the enacting clause, if omitted; *provided*, that no change shall be made which shall in any way, vary the apparent meaning of said bill or resolution.

Duties of
engrossing
committee

SEC. 2. All bills and resolutions shall be introduced in triplicate, and one copy of each bill or resolution shall be marked "original"; one shall be marked "duplicate"; one shall be marked "triplicate." The copy marked "duplicate" shall be sent to the state printer for the purpose of printing and the copy marked "triplicate" shall be referred to the engrossing committee of the house in which such bill or resolution was introduced.

Same

SEC. 3. The engrossing committee of the house in which any bill or resolution originates shall immediately after the printing of said bill, carefully compare a printed copy thereof with the triplicate copy of said bill, and if said printed bill is found to be in all respects correct save such errors in spelling and punctuation as shall have been corrected by the printer as in this act provided, said engrossing committee shall cause a printed copy of said bill to be securely bound with a substantial cover on which the further history of said bill may be endorsed; the chairman of the engrossing committee of the house in which said bill or resolution originated, shall then certify to the correctness of said bound copy and deliver same to the chief clerk of the assembly or secretary of the senate, as the case may be; whereupon said bound copy so compared and certified to, shall be substituted for the original and official copy as introduced and thereafter be deemed the official copy of said bill or resolution.

Printed bill
becomes
official copy,
when

Bills
reprinted,
when

SEC. 4. When any bill or resolution is ordered engrossed the house ordering such engrossment, may as a part of such resolution, if deemed advisable, order such bill or resolution

to be reprinted for engrossment as amended before being transmitted to the other house.

SEC. 5. Hereafter, either house, may, by resolution, if it be deemed advisable order that any bill or resolution, originating in such house, and which has passed both houses shall be printed for enrollment; *provided*, all bills and resolutions which shall be printed for enrollment, shall be securely bound with a substantial flexible cover; on the last page shall be printed a blank form and space for the signatures of the proper officers of the senate and assembly and for the approval and signature of the governor; *provided*, further, that in other respects, the style, dimensions of the printed matter and type used in the printing of bills and resolutions for enrollment shall be as decided by the state printer and shall be uniform throughout the session.

Printed for enrollment, when

Style of printing uniform

CHAP. 64—*An act to provide for the protection and the preservation of trout and other fish in the waters of the State of Nevada and other matters pertaining thereto, and to state in part what shall be evidence of its violation, and to prescribe penalties for its violation, and to provide for its enforcement, and to repeal all acts and parts of acts in conflict herewith.*

[Approved March 15, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. It shall be unlawful for any person or persons, firm, company, or corporation to take, catch, or kill, or to attempt to take, catch, or kill, any river trout, lake trout, or brook trout, white-fish, land-locked salmon, royal chinook salmon, or large-mouthed or small-mouthed black bass, in or from any of the streams, lakes, rivers, or other waters of the State of Nevada, between the sixteenth day of October of each year and the thirtieth day of April of the succeeding year, both dates being included.

Closed season for fish

SEC. 2. It shall be unlawful for any person or persons, firm, company, or corporation in the State of Nevada to buy, sell, or offer or expose for sale or to have in his, their, or its possession, any river trout, lake trout, or brook trout, salmon, white-fish, or large-mouthed or small-mouthed black bass taken or caught from any of the waters of this state within the closed season specified in this act.

Unlawful to sell fish or have in possession during closed season

SEC. 3. It shall be unlawful for any person or persons, firm, company, or corporation to take, catch, or kill, or to attempt to take, catch, or kill, in or from any stream, lake, or river, or any other waters of the State of Nevada, any trout, salmon, white-fish, bass, perch, or any other fish of any species

Certain methods of taking fish prohibited

whatever with any seine, net, spear, set-line, set-hooks, grab-hook, trot-line or snag-line, or in the manner known as snagging, or with any weir-fence, trap, giant powder, or other explosive, or explosive compound, or with or by means of any bait constituted or prepared in whole or in part of or from the spawn, eggs or ova of trout, salmon, or of any other species of fish whatever; or with or by any means whatever except with hook and line attached to a rod held in the hands and in the manner known as angling; that is, with baited hook, fly-hook, spoon-hook, or other anglers' lure.

Regulations
concerning
hotels and
dealers

SEC. 4. It shall be unlawful for any person or persons, firm, company, or corporation, cold-storage company, tavern, or hotel keeper, restaurant, or eating-house keeper, butcher, or market man, in this state to buy, sell, or offer or expose for sale, or to have in his, their, or its possession, any trout, salmon, white-fish, or fish of any species whatever taken from any of the waters of the State of Nevada by or with any of the means specified as unlawful in this act or in any preceding act.

Fish less
than certain
lengths must
not be caught

SEC. 5. It shall be unlawful for any person or persons, firm, company or corporation, to kill, or to retain in his, their, or its possession any lake trout, river trout, land-locked salmon, or royal chinook salmon, taken from the waters of this state less than seven inches in length; or any large-mouthed or small-mouthed black bass, or Sacramento perch, less than eight inches in length, or any red-spotted eastern brook trout (*Salvelinus fontinalis*) less than six inches in length.

Transporta-
tion com-
panies
prohibited
from carry-
ing more
than certain
weight of
fish

SEC. 6. It shall be unlawful for any person or persons, railroad, railway company or corporation, express company, stage line, transportation company, or any common carrier in the State of Nevada to accept or to receive for shipment or for transportation from any one person or in the name of any one firm, company, or association, in any one calendar day, more than ten pounds of trout, land-locked salmon, or royal chinook salmon, or of large-mouthed or small-mouthed black bass, taken or caught in or from any of the waters of the State of Nevada; *provided*, that nothing in this section shall be so construed as to prevent the shipment, or receipt or acceptance, of ten trout on one calendar day from any single consignor, and it shall be unlawful for any person or persons, firm, company, association, or corporation, transportation company, or common carrier to offer or present or to receive or accept for shipment, carriage, or transportation any box, bundle, package, basket, or other container whatsoever in which are enclosed any of the fishes herein specified, unless the box, bundle, basket, package, or other container aforesaid shall be so wrapped, tied, or constructed that it shall be easily opened for inspection or examination, and unless it shall bear a conspicuous label, easily read, which shall state the contents thereof, together with the name and address of the consignor thereof and the name and address of the consignee; and false statement on the aforesaid label either as to the contents enclosed or as to the true name or

Proviso

address of the consignor thereof or of the consignee shall be construed as a violation of this act.

SEC. 7. It shall be unlawful for any person or persons, firm, company, or corporation to take, catch, or kill from any of the waters of the State of Nevada or to have in his, their, or its possession on any one calendar day, more than ten pounds of trout, or of land-locked salmon, or royal chinook salmon, or large-mouthed or small-mouthed black bass, or Sacramento perch, or white-fish caught in the waters of this State; *provided*, that nothing in this act shall be so interpreted as to prevent or to prohibit the taking of ten trout or salmon, or other fish specified in this act.

Ten pounds
limit of catch
for one day;
but ten fish
may be taken

SEC. 8. It shall be unlawful for any person or persons in the State of Nevada at any time or season to take, catch, or kill, or to attempt so to take, catch, or kill, any lake trout, river trout, brook trout, land-locked salmon, royal chinook salmon, large-mouthed or small-mouthed black bass, Sacramento perch, or any other species of fish whatever, within a distance of one hundred feet above or below any dam in this state containing a fishway or fish-ladder.

Unlawful to
fish within
100 feet of
dam

SEC. 9. It shall be unlawful for any person or persons, firm, company or corporation in the State of Nevada to take, catch, or kill, or to attempt to take, catch, or kill, any lake trout, river trout, brook trout, land-locked salmon, royal chinook salmon, white-fish, large-mouthed or small-mouthed black bass, Sacramento perch, or any other fish of any species whatever, at any time or season, whatever, within a distance of one mile below any dam of the United States reclamation service containing a fishway or fish-ladder, and lying within the State of Nevada.

Same apply-
ing to
irrigation
works

SEC. 10. It shall be unlawful for any person or persons, firm company or corporation, in the State of Nevada, to take, catch, or kill, or attempt to take, catch, or kill, any lake trout, river trout, or brook trout, land-locked salmon, royal chinook salmon, large-mouthed or small-mouthed black bass, Sacramento perch, or any other fish of any species whatever from any of the waters of the State of Nevada, on any calendar day after two hours after sunset, and on any calendar day before one hour before sunrise.

Night fishing
defined and
prohibited

SEC. 11. The fish commissioners of the State of Nevada, the members of the Nevada State Police, and every fish or game warden throughout the state, and every sheriff and constable in his respective county is and are hereby authorized and required to enforce this act and to seize any game or fish taken or held in possession in violation of this act, and he or they shall have full power and authority and it shall be the duty of every such officer with or without a warrant, to open, enter, or examine all camps, wagons, cars, automobiles, stages, tents, packs, warehouses, stores, outhouses, stables, barns, and other places, boxes, barrels, baskets, and packages, where he has reason to believe any fish taken or held in violation of any of

Fish com-
mission and
peace
officers re-
quired to
enforce this
act

Reasonable
search
allowed

Proviso

the provisions of this act is or are to be found, and to seize the same; *provided*, that a dwelling house actually occupied can be entered for examination only in pursuance of a warrant.

Officers may call for extra assistance in making arrests

Sec. 12. In case Indians or any other persons in the State of Nevada shall engage in the killing of trout or other fishes in violation of any of the provisions of this act, and shall be in such numbers as to be beyond the reasonable power of any fish or game warden of the state fish commission to control, or in case of forcible resistance to the enforcement thereof, it shall be the duty of the sheriff, or sheriffs of the county or counties where such violation exists, upon the demand of such commissioners or any warden to aid him in the enforcement of this act, and to call to his assistance at once a sufficient number of persons to enforce the same promptly and effectually; or if by him deemed necessary, said commissioners or said warden may call such assistance without the intervention of the sheriff. The failure without good cause of any person or persons to respond and to render such assistance shall be deemed a violation of this act.

Penalties

Sec. 13. Any person or persons, firm, company, or corporation, association, or common carrier in this state who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor; and upon conviction thereof shall be fined in any sum not less than twenty-five dollars, nor more than five hundred dollars, or by imprisonment in the county jail in the county where the conviction is had for any term not exceeding six months, or by both such fine and imprisonment. It shall be no defense in a prosecution for violation of any of the provisions of this act that the trout or other fish in question were taken or killed outside the State of Nevada; nor shall it be any defense in any prosecution for violation of any of the provisions of this act that the trout or fish were taken or killed by one other than he in whose possession said trout or other fish were found. The act of passing a line into or on any of the waters of the State of Nevada as though in the act of fishing, shall be in itself sufficient evidence of an attempt to take or to catch fish within the meaning of this act. The presence in or on the body in flank, back, or belly of any of the fishes herein specified of deep incised wounds or cuts such as are made by spears, grab-hooks, trout-hooks, or snag-hooks, shall be construed as in itself sufficient evidence that the said fish were taken in violation of the provisions of this act.

Evidence, what declared to be

Does not apply to private fish ponds or streams

Sec. 14. Nothing in this act shall be so construed as to prohibit the taking of trout or other fish, by the rightful owners thereof or by their agents in any manner, at any season whatever, from the waters of private ponds by them constructed or maintained for the purpose of raising trout or other fishes; nor to prohibit the sale of trout or other fishes or of their fry or ova from private hatcheries lying wholly or in part within the State of Nevada.

SEC. 15. Nothing in this act shall be so construed as to hinder or to prevent or prohibit the taking of trout or of other fishes, or of their fry, eggs or ova, at any time, in any manner or by any means or in any suitable place or location by the Nevada fish commission or by their agents or by anyone whom they may authorize, for the purposes of breeding or propagation, or of scientific study or investigation.

Fish and eggs may be taken for scientific purposes

SEC. 16. All acts and parts of acts in conflict with any of the provisions of this act are hereby repealed.

Repeal

SEC. 17. If in connection with any prosecution for violation of any of the provisions of this act, or in any other way, any section of this act shall be hereafter adjudged unconstitutional, or inoperative, or invalid and of no force and effect, then the unconstitutionality, invalidity, or inefficiency of said section shall not extend to any other section or sections of this act which are not so adjudged unconstitutional, inoperative, invalid, or inefficient, nor to the constitutionality, validity, or the force and effect of the entire act.

Unconstitutionality of any portion of this act not to affect other portions

CHAP. 65—*An act to protect the Grand Army of the Republic, benevolent, humane, fraternal, charitable or other organizations in the use of their names and emblems, and providing penalties for the violation thereof.*

[Approved March 15, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. No person, society, association, or corporation shall assume, adopt or use the name of a military, ex-military, patriotic, benevolent, humane, fraternal or charitable organization, incorporated under the laws of this or any other state, or of the United States, or a name so nearly resembling the name of such incorporated organization as to be a colorable imitation thereof, or calculated to deceive persons not members, with respect to such corporation. In all cases where two or more such societies, associations, or corporations claim the right to the same name, or to names substantially similar, as above provided, the organization which was first organized and used the name, and first became incorporated under the laws of the United States or of any state in the Union, shall be entitled in this state to the prior and exclusive use of such name, and the rights of such societies, associations or corporations, and of their individual members shall be fixed and determined accordingly.

Unlawful to fraudulently use name of any benevolent society

SEC. 2. No person shall wear or exhibit the badge, button, emblem, decoration, insignia, or charm, or shall assume or use the name of any military, ex-military, patriotic, humane, fraternal or charitable corporation, incorporated under the laws of this or any other state, or of the United States, or shall assume

Illegal wearing of insignia prohibited

or claim to be a member thereof, or of a military, ex-military, patriotic, benevolent, humane, fraternal or charitable corporation, the name of which shall so nearly resemble the name of any other corporation existing prior to the organization of the corporation or association of which such person may claim to be a member, the name whereof may be calculated to deceive the people with respect to any such prior corporation, unless he shall be authorized under the laws, statutes, rules, regulations and by-laws of such former corporation, to wear such badge, button, emblem, decoration, insignia or charm or to use and assume such name as a member thereof.

Injunction to
restrain
violation of
this act,
when

SEC. 3. Whenever there shall be an actual or threatened violation of the above act, an application may be made to the court or judge having jurisdiction, to issue an injunction upon notice to the defendant of not less than five days, for an injunction so restraining such actual or threatened violation, or if it shall appear to such court or justice that the defendant is in fact using the name of a military, ex-military, patriotic, benevolent, humane, fraternal or charitable corporation, incorporated as aforesaid, or a name so nearly resembling it as to be calculated to deceive the public, or is wearing or exhibiting the badge, insignia or emblem of such corporation without authority thereof, and in violation of the above act, an injunction may be issued by said court or justice enjoining or restraining such actual or threatened violation, without requiring proof that any person has in fact been misled or deceived thereby.

Penalties

SEC. 4. Any person wilfully violating the provisions of sections one and two of this act, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined not less than fifty dollars (\$50), nor more than five hundred dollars (\$500), or by imprisonment in the county jail for a period not to exceed six months, or by both such fine and imprisonment.

CHAP. 66—*An act to prohibit the issuance of non-negotiable acknowledgments of indebtedness in payment for wages due employees, and providing a punishment for the violation of the provisions of this act.*

[Approved March 15, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Employers
when paying
employees
by check,
etc., must
make same
negotiable

SECTION 1. No person or corporation engaged in any business or enterprise of any kind in this state shall issue, in payment, or as evidence of, any indebtedness for wages due an employee, any order, check, memorandum, or other acknowledgment of indebtedness unless the same is a negotiable instrument payable without discount, in cash on demand, at some bank or other established place of business; *provided, however,* that nothing herein contained shall in any way limit or inter-

fere with the right of any such employee, by agreement, to accept from any such person or corporation, as an evidence or acknowledgment of indebtedness for wages due him, a negotiable instrument, payable at some future date with interest.

SEC. 2. Any violation of this act shall be a misdemeanor Penalty or punishable by a fine of not exceeding \$500.

CHAP. 67—*An act making an appropriation to pay for reporting the proceedings of the state board of assessors, session of 1911.*

[Approved March 15, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby appropriated out of any money in the general fund in the state treasury not otherwise appropriated the sum of one hundred and fifty dollars to pay James D. Finch for reporting, transcribing and indexing the minutes and proceedings of the state board of assessors, session of 1911. Pay for reporting minutes of board of assessors

SEC. 2. The state controller is hereby directed to draw his warrant in favor of said James D. Finch for the amount named in section one of this act and the state treasurer is directed to pay the same.

CHAP. 68—*An act to amend section fifty-two, section seventy-three, section eighty-nine, and section ninety of an act entitled "An act to provide for a reorganization of the system of school supervision and maintenance, to repeal all acts and parts of acts in conflict therewith, and matters properly connected therewith," approved March 29, 1907, and introducing a new section therein.*

[Approved March 15, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section fifty-two of the said act is hereby amended so as to read as follows: Amending school law

Section 52. The superintendent of public instruction shall apportion the county school fund to any such joint school district as follows: In apportioning sixty per cent of the county school fund of any county, he shall apportion to a joint school district the regular amount per census child residing in that county. In apportioning forty per cent of the county school fund of any county, he shall consider the teacher as belonging in part to each county, part of which lies in the joint school district, and the part belonging to any county will be in proportion to the number of school census children in that county. Funds, how apportioned

In apportioning thirty per cent of the state distributive school fund within any county, he shall apportion to a joint school district the regular amount per census child residing in that county. In apportioning seventy per cent of the state distributive school fund within any county, he shall consider the teacher as belonging in part to each county, part of which lies in the joint school district, and the part belonging to any county will be in proportion to the number of school census children in that county.

SEC. 2. Section seventy-three of the said act is hereby amended so as to read as follows:

Interest on
state school
funds, how
apportioned

Section 73. All moneys derived from interest on the state permanent school fund, together with all moneys derived from the state school tax, shall be placed in and constitute a fund to be known as the state distributive school fund, and be apportioned semi-annually among the several school districts of the state in the manner provided in this act for the apportionment of the state distributive school fund to the several school districts of the state.

SEC. 3. Section eighty-nine of said act is hereby amended so as to read as follows:

Duties of
state super-
intendent

Section 89. It shall be the duty of the superintendent of public instruction immediately after the state controller shall have made his semi-annual report, as provided in section eighty-four of this act, to apportion to the several school districts in the state the moneys in the state distributive school fund, subject to apportionment at such time. He shall apportion the moneys of said fund among the several school districts of the state in the following manner:

Methods of
apportioning

First—He must ascertain the number of teachers to which each school district is entitled by calculating one teacher for every thirty school census children or fraction thereof, as shown by the last preceding school census.

Second—He must ascertain the total number of teachers in the state by adding together the number of teachers assigned to the several school districts upon the basis of one teacher to each thirty school census children or fraction thereof.

Third—He must apportion seventy per cent of the state distributive school fund, subject to apportionment at that time, among the several school districts of the state in proportion to the number of teachers in each school district, upon the basis of one teacher to each thirty school census children or fraction thereof as shown by the last preceding school census.

Fourth—He must apportion thirty per cent of the state distributive school fund, subject to apportionment at that time, among the several school districts of the state in proportion to the number of children between the ages of six and eighteen years in each school district as shown by the last preceding school census.

Immediately after making the apportionment of the state

distributive school fund in the manner described in this act, the superintendent of public instruction shall, by means of a printed report, notify the state controller, the county treasurer, the county auditor, and the clerk of each board of school trustees of the apportionment in detail. He shall also furnish to each county treasurer, under seal of the state board of education, an order on the state controller for an amount of money equal to the full amount of school moneys apportioned to the several school districts of that county from the state distributive school fund, and he shall take such county treasurer's receipt for the said order.

State superintendent to notify school officers

Sec. 4. Section ninety of the said act is hereby amended so as to read as follows:

Section 90. The superintendent of public instruction shall, immediately after he has apportioned the state distributive school fund, as provided in this act, proceed to apportion the county school fund of each county among its several school districts. He shall apportion the county school fund as follows:

Superintendent of public instruction to apportion county school funds

First—He must ascertain the number of teachers to which each district is entitled by calculating one teacher for every seventy-five census children or fraction thereof as shown by the last preceding census report.

Methods of apportioning

Second—He must ascertain the total number of teachers for the county by adding together the number of teachers assigned to the several school districts upon the basis of one teacher to each seventy-five school census children or fraction thereof.

Third—Forty per cent of the amount of the county school fund shall be apportioned equally to each school district for every teacher assigned to it upon the basis of seventy-five census children or fraction thereof.

Fourth—All school moneys remaining on hand in the county school fund after apportioning forty per cent of the county school fund equally to each school district for every teacher assigned it upon the basis of seventy-five census children or fraction thereof, must be apportioned to the several school districts in proportion to the number of school census children between the ages of six and eighteen years as shown by the last preceding school census.

The superintendent of public instruction shall by means of a printed report notify the county treasurer, the county auditor, and the clerk of each board of school trustees of such apportionment in detail.

School officers to be notified

Sec. 5. A new section shall be added to the said act, which shall be numbered Section 90½ and shall read as follows:

Section 90½. On the first Tuesday of July of each school year the county auditor in each county shall report to the superintendent of public instruction the amount of moneys in the state and the county funds to the credit of each school district in his county.

County auditor to notify superintendent

Further
duties
of superin-
tendent

Proviso

Proviso

The superintendent of public instruction shall, upon receipt of such report, deduct from the total amount of money to the credit of each of the school districts, all amounts over and above two hundred and fifty dollars for each teacher assigned to said district upon the basis of one teacher for every thirty census children or fraction thereof, as shown by the last preceding school census; *provided*, that if the county auditor shall have his accounts so arranged that the state school fund account is entirely separate from the county school fund account, then he shall notify the superintendent of public instruction of the amount in each fund to the credit of each school district, and the superintendent of public instruction shall deduct from the state school fund all amounts in excess of one hundred and fifty dollars for each teacher assigned to such school district on the basis of one teacher to every thirty school census children or fraction thereof, as shown by the last preceding school census, and he shall also deduct from the county school fund all the amounts in excess of one hundred dollars for each teacher assigned to the district on the basis of one teacher for each thirty school census children or fraction thereof, as shown by the last preceding school census; *provided, further*, that if the sum of the balances in the state school fund and the county school fund of any school district on the said first Tuesday of July does not exceed two hundred and fifty dollars for each teacher assigned to the district, on the basis of one teacher to each thirty census children or fraction thereof, as shown by the last census, the superintendent of public instruction shall not make the deductions as provided in this section, and in no case shall the superintendent of public instruction deduct such amounts from the school funds of any district as will make the balance in the funds of the district less than two hundred and fifty dollars for each teacher assigned to the district upon the basis of one teacher to every thirty school census children or fraction thereof, as shown by the last preceding school census.

The amounts deducted from the several school funds of each county as provided in the above paragraph shall be placed to the credit of the unapportioned county school fund of the county, and be apportioned with the said county fund.

Proviso

The superintendent of public instruction shall, at the time of making the deductions in accordance with this act, notify each county auditor and county treasurer of his action, and the county auditor and the county treasurer shall make such entries in their accounts as will show that such deductions have been made; *provided*, that this section shall not apply so as to remove from the funds of any school district any moneys derived from any source other than by apportionments from the state fund or the county fund.

New
buildings or
repairs, how
made

If the trustees of any school district shall certify to the superintendent of public instruction that a new school building, or repairs on an old school building are necessary in the district,

and that the trustees have been authorized by vote of the district, if a vote is required, to build such new school building or to make such needed repairs, or that the balance in the funds of the district are necessary for the maintenance of school in the district, and that the trustees have estimated that the cost of such new school building, needed repairs, or school maintenance is to be dollars, the superintendent of public instruction shall make whatever investigation he may deem best and if he shall become satisfied that such new building or repairs are necessary in the district, or that the balance in the funds of the district are necessary for the maintenance of school, and that the amount estimated to be spent for such new building, repairs, or maintenance of school is a reasonable amount to be set aside for the purpose mentioned, he shall not make the deductions as provided in this section, but he shall make such deductions as will leave in the funds of the district an amount equal to the estimated amount to be spent for such new building, repairs, or maintenance of school, together with two hundred and fifty dollars for each teacher assigned to that district, upon the basis of one teacher for every thirty census children or fraction thereof as shown by the last preceding school census.

New
buildings or
repairs, how
made

This section shall not be construed to mean that the portion of the excess in any school fund, as provided herein, that has come to such fund from apportionments from the state school fund shall be returned to the state school fund, but all of such excess, whether of state or county moneys, shall be placed to the credit of the unapportioned county school fund of the county and shall be apportioned with the regular county school fund.

Residue to
remain in
county
school funds

SEC. 6. All acts and parts of acts in conflict with this act are hereby repealed.

CHAP. 69—*An act to amend an act entitled "An act to provide for the appointment of guardians and to prescribe their duties," approved March 11, 1899.*

[Approved March 15, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section seventeen of an act entitled "An act to provide for the appointment of guardians and to prescribe their duties," approved March 11, 1899, is hereby amended to read as follows:

Section 17. Every guardian appointed under the provisions of this act, whether for a minor or any other person, shall pay all just debts due from the ward out of the personal estate and the income from the real estate of the ward, if sufficient, and if not, then from the proceeds of a sale of the personal or real estate, upon obtaining an order for such sale according to law;

Debts of
minor to be
paid by
guardian
from estate

Proviso

provided, that if, upon petition of the guardian, it shall appear for the best interest of the ward to mortgage any of his real estate, instead of making a sale of any of his property, the court may authorize the guardian to execute such a mortgage upon such terms and conditions as the court shall deem prudent, upon the guardian filing a bond in favor of the ward in such sum as the court shall fix, to be approved by the court or a judge thereof; and notice of the petition and hearing shall be given as prescribed by sections twenty-five and twenty-six of this act.

SEC. 2. Section thirty-nine of an act entitled "An act to provide for the appointment of guardians and to prescribe their duties," approved March 11, 1899, is hereby amended to read as follows:

Letters of
guardianship
for nonres-
ident minor

Section 39. When any minor, or other person liable to be placed under guardianship, according to the provisions of this act, shall reside out of this state, and shall have estate therein, any friend of such person, or anyone interested in his or her estate, in expectancy or otherwise, may apply to the district court of any county in which there may be any estate of such absent person in expectancy or otherwise for letters of guardianship of such estate, as in case of a resident ward, and the court may proceed in like manner and appoint a guardian. If a guardian of the estate of such absent person has been appointed in the state of his or her residence by a court there having jurisdiction, said guardian may be appointed as such guardian in this state upon giving a bond and qualifying as prescribed by section seven of this act, and no citation need be issued or served. In such case the production of duly authenticated copies of the order appointing guardian and of the letters of guardianship shall be *prima facie* proof of the necessity of the appointment of such guardian in this state.

Bond of
guardian

CHAP. 70—*An act giving the clerk of the supreme court authority to appoint a deputy in his office.*

[Approved March 15, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Deputy for
clerk of
supreme
court

SECTION 1. The clerk of the supreme court shall have power, under his hand and seal, to appoint one deputy in his office; the deputy so appointed may, during the absence or inability of the clerk of the supreme court, perform all the duties of a ministerial nature requisite and pertaining to the office. The salary of such deputy shall be \$1,800 per annum. Said salary shall be payable as the salaries of other state officers are paid.

Salary

CHAP. 71.—*An act authorizing and relating to the employment of convicts on the public roads and highways, providing a general road fund in the state treasury to defray the expenses thereof, and for other purposes.*

[Approved March 16, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of twenty thousand dollars is hereby appropriated out of any money in the state treasury not otherwise appropriated which shall constitute a fund to be known as the general road fund.

Appropriation for general road fund

SEC. 2. The board of state prison commissioners is hereby authorized and directed to detail for work on the public highways of the state any male convict in the state prison who, on the recommendation of the warden, and in the opinion of said board, may be properly so detailed, excepting prisoners under a sentence of death; *provided*, that such detail shall be voluntary on the part of the convict and shall not be caused by any form of compulsion.

Convicts detailed for road work

SEC. 3. Convicts detailed to road work under the provisions of this act shall, while so engaged, and without the confines of the state prison, shall be under the general direction of the warden, and guards appointed by him and shall be subject to such rules and regulations with respect to their hours of labor, conduct and control as said board shall establish. They shall not be required to wear stripes, and for infractions of the rules the maximum punishment of any convict shall be his summary return to confinement in the penitentiary and forfeiture of credits.

Regulations concerning same

SEC. 4. In addition to the time-off for good behavior from the term of sentence now allowed by law, convicts so detailed for work upon the public roads shall be allowed ten days' time-off for each month's faithful work and compliance with such rules and regulations; and in addition thereto, each convict so detailed shall be allowed the sum of twenty-five cents for each day's labor, and which shall accumulate as a fund to be paid the convict on the termination of his sentence, or on his release by pardon or parole, and which shall be in addition to the sum of money ordinarily given discharged convicts; *provided*, that on petition of any such convict, said board, in its discretion, may pay out from any sum so to the credit of any convict a portion or all thereof in support of the dependent wife, children or parent of such convict, in distress.

Pay and additional time-off for convicts on public road work

SEC. 5. Said board on the recommendation of the state engineer, or the county surveyor of each county, is hereby authorized and empowered to determine upon what public roads convicts so detailed shall be employed; whether in the improvement of existing roads or the construction of new roads, and shall pass upon and approve or reject the plans

Prison board to specify public roads upon which convicts shall work

Duties of
state
engineer

Preliminary
agreement
with county

and specifications of the state engineer or the respective county surveyors in respect thereto. The state engineer shall have general supervision and direction of all road work so approved. No road work, under the provisions of this act, shall be instituted in any county prior to an agreement with the county commissioners of such county with respect to the survey and character and construction of such road, and an agreement by such county to construct, at its own expense, all bridges or other structures of wood, iron, concrete or stone, requiring skilled labor, and no convict shall be employed thereon; and such county may be required by said board to contribute in part toward the expense of the maintenance of convicts on such road work.

Disburse-
ments from
fund, how
regulated

SEC. 6. All disbursements for expenditures arising under the provisions of this act, including for road-making tools and implements, horses, wagons, tents, bedding, clothing, tobacco, medicine, and commissary utensils and supplies, shall be on warrants certified to by the officer or engineer in charge of said road work, and by the chairman of said board, and which, on approval by the state board of examiners, shall be paid on warrants drawn by the state controller, by the state treasurer from the following funds, respectively, in the state treasury, to wit: From said general road fund in every instance, except for part payment for clothing and commissary supplies, an amount not exceeding fifty cents per day per convict, for the total number of days detailed, which shall be paid from any appropriation hereafter made for the support and maintenance of the state prison.

CHAP. 72—*An act to pay Miss N. B. Milligan ten dollars for taking and transcribing the report of the commission of three assemblymen and two senators to report to the board of pardons recommending as to prisoners confined in the state prison.*

[Approved March 16, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Relief of Miss
N. B. Milligan

SECTION 1. There is hereby appropriated out of the legislative fund the sum of ten dollars to pay to Miss N. B. Milligan for taking and transcribing the report of the commission.

SEC. 2. The state controller is hereby directed to draw his warrant in favor of the person above named and the state treasurer is hereby directed to pay the same.

CHAP. 73—*An act empowering the state board of capitol commissioners to purchase additional grounds for the governor's mansion.*

[Approved March 16, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. That the state board of capitol commissioners, in their discretion, are hereby authorized to purchase additional lands to enlarge the grounds of the governor's mansion, not exceeding in cost the sum of one thousand dollars.

Additional
land for
governor's
mansion

SEC. 2. There is hereby appropriated out of the general fund in the state treasury, the sum of one thousand dollars to carry out the provisions of this act.

\$1,000 appro-
priation

CHAP. 74—*An act creating and establishing a Nevada bureau of industry, agriculture and irrigation, providing for a commission in charge thereof; creating the office of commissioner of industry, agriculture and irrigation, and fixing his compensation; defining the objects and purposes of said bureau; prescribing the powers and duties of said commission; appropriating funds for its support and maintenance and to carry out its objects and purposes, and other matters relating thereto.*

[Approved March 17, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. That there is hereby created and established a Nevada bureau of industry, agriculture and irrigation. Said bureau shall be governed and controlled by a commission which shall be designated as state commission of industry, agriculture and irrigation, and shall be composed of five members, four of whom shall be ex officio members, namely: The governor, the surveyor-general, the attorney-general, and the state engineer, and one other member, to be appointed by the governor, the office of which is hereby created, who shall be entitled commissioner of industry, agriculture and irrigation; and hereafter, wherever in this act the word "commissioner" appears it shall be understood to mean and refer to said last-named official. The governor shall be ex officio chairman of said commission and said commissioner the secretary.

Nevada
bureau of
industry,
agriculture
and
irrigation

State com-
mission of
industry,
agriculture
and
irrigation

SEC. 2. This act shall take effect April first, nineteen hundred and eleven, and the term of office of said commissioner shall begin on that date. He shall qualify by taking and subscribing to the official oath and shall hold office at the pleasure of the governor.

In effect
April 1, 1911

SEC. 3. Said commission, on its organization, may rent, unless otherwise provided therewith by the board of capitol commissioners, suitable offices for its headquarters, which shall be known as Nevada bureau of industry, agriculture and irrigation, may furnish and equip the same according to its practical requirements, and may employ necessary clerical and other assistance. The commissioner shall keep his office in said bureau and the same shall be kept open the usual hours that other state offices are kept open. Said commission shall meet from time to time at the call of the governor for the transaction of business, and no expenditure shall be made or expense contracted without it be authorized by a majority vote at such meeting and the minutes thereof entered of record.

To acquire
office rooms

Office hours

SEC. 4. The general and special powers, duties and functions of said commission are hereby specifically defined as follows, namely:

Duties of
commission

To advertise
the State of
Nevada

First—It shall establish, conduct and control said Nevada bureau of industry, agriculture and irrigation, which shall, as rapidly as its organization may be perfected, be made a practical bureau of information for the use and benefit of the people of this state, and outside inquirers, concerning avenues, openings and opportunities for industrial, agricultural, irrigation and reclamation enterprises in Nevada, and it shall be so conducted as to meet such purpose in the highest practicable degree. Said bureau shall be the place of filing and keeping for ready reference, books, periodicals, reports, maps, charts, correspondence, exhibits and special and general information on all subjects appertaining to the arts, industries, agricultural, irrigation and reclamation conditions, resources, opportunities, projects and possibilities within the state, and which shall be classified, catalogued and indexed in such manner as to make information on any subject easily available for the study and investigation of visitors and the use of the commission.

To conduct
correspond-
ence

Second—Said commission shall, under direction of the commissioner, have personal charge of said bureau, and as truly and accurately as may be, answer all reasonable inquiries of visitors and correspondents, and through written and printed letters, bulletins, documents, and magazine and newspaper articles, make such information serve in every way possible the upbuilding of the state.

To study
industrial
problems of
the state

Third—Said commission shall initiate an exhaustive study of industrial, agricultural, irrigation and reclamation problems within the state, may designate any of its members to visit any section of the state to gather information and conduct inquiries; may lend its support, encouragement and advice in aid of all legitimate enterprises within the scope of its work, and may assist in organizing cooperative enterprises of benefit to the public or to any community; *provided*, that nothing in this act shall be construed as authorizing or permitting said commission to advertise, organize, promote, furnish special information, issue any opinion concerning any particular mine or mining

Restrictions

property or mining enterprise; but all information issued relative to the mining industry shall be general in terms and restricted to the character of ores and actual production of the state and of the several mining districts.

Fourth—Said commission may undertake and conduct reasonable and practicable explorations and experiments to determine the feasibility of reclaiming favorable portions of the state by utilizing the subsurface waters, may lease or purchase well-drilling machinery and equipment; drill, or cause to be drilled, test wells, equip the same with pumping machinery and determine the cost of pumping water for irrigation. But no exploration or experiments, authorized by this paragraph, shall be conducted on any land temporarily withdrawn from the public domain, or segregated by the selection of this state and the approval of the secretary of the interior from the public domain, under the provisions of the Carey act, unless the state itself be exclusively interested in and conducting the project for the public benefit and the state's profit, and which is hereby authorized.

To conduct experiments in reclamation, etc.

Restrictions

Fifth—Said commission shall have control of the selection, management and disposal of all lands granted the state under the provisions of the act of congress approved August eighteenth, eighteen hundred and ninety-four (28 U. S. Stat. 372-422), known as the Carey act, and all acts amendatory thereof or supplemental thereto, and of all additional grants which may hereafter be made the state in accordance therewith, subject to the provisions of any statute governing the commission which may hereafter be enacted; and

To have control of Carey act lands

Sixth—Said commission shall assist in the gathering and preparation of a suitable exhibit of the state's agricultural, industrial and mining resources for the Panama-Pacific Exposition to be held in the city of San Francisco, California, in 1915.

To assist in exhibit at Panama-Pacific Exposition

SEC. 5. The commission is authorized to exact fees when proper, and to solicit and receive transportation, and may enter into agreements whereby the work, efforts and accomplishments of the commission of special value or benefit to any individual, corporation, community, municipality, or county may be rewarded by cash contributions direct or contingent to a special fund which is hereby established in the state treasury for such purpose, to be called industrial commission fund; *provided, however*, that all fees, gifts, or contributions to said fund or in aid of the work of the commission shall be paid by the contributor or donor to the state treasurer direct, who shall issue to the donor or contributor his receipt therefor, countersigned by the state controller, and it shall be unlawful for said commission, any member or employee thereof, to personally receive any such fees, gifts or contributions other than transportation, office room, or ground space to be used in carrying on the work of the commission. The board of county commissioners of any county is hereby

May exact fees, when

Contributions paid direct to state treasurer

County contributions

authorized, in its discretion, to make an appropriation from the county treasury of such county to meet in part the cost or expense of any exploration or experimental work conducted in such county under the provisions of this act.

Salary
of commis-
sioner

SEC. 6. Said commissioner shall receive a salary of three thousand six hundred dollars per annum, payable in equal monthly installments by the state treasurer on warrants drawn by the state controller. The members of said commission when engaged in field work or delegated to special duty, shall be entitled to actual traveling, living, and other necessary expenses, which shall be audited by the commission and on the certificate of the commissioner, approved by the state board of examiners, shall be paid by the state treasurer, on warrant of the state controller, out of any moneys in the treasury available therefor.

Actual
expenses of
other
members

Appropriation,
\$25,000

SEC. 7. There is hereby appropriated to carry out the purposes of this act, the sum of \$25,000, and all disbursements from which, as well as from the said industrial commission fund, shall be on certificates of the commissioner, approved by the state board of examiners, when the state controller shall draw his warrant and the state treasurer pay the same.

Work to be
done at State
Printing
Office, when

SEC. 8. All forms, blanks, envelopes, letterheads, circulars, pamphlets, bulletins and reports required to be printed by said commission, may, in its discretion, be printed at the state printing office under the general provisions of the act entitled "An act to designate and authorize the work to be done in the state printing office," approved March 5, 1909; *provided*, that when printed at the state printing office, if more than fifteen hundred copies of any bulletin or report be required, the cost of the excess number shall be paid for out of any appropriation to carry out the purposes of this act.

Certain
inhibitions

SEC. 9. Any person distributing any literature under the provisions of this act which is not correct or thoroughly reliable, or any member of said commission who shall receive or accept any contribution, fee, emolument or thing of value, either directly or indirectly, for his services as a member of said commission, other than that provided by law, shall be subject to a fine of not less than five hundred dollars or more than one thousand dollars, and imprisonment for not less than six months or more than one year in the state penitentiary.

Penalty

CHAP. 75—*An act making appropriation for the support of the civil government of the State of Nevada for the years 1911 and 1912.*

[Approved March 17, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

General ap-
propriations
for 1911 and
1912

SECTION 1. The following sums of money are hereby appropriated for the purpose hereinafter expressed, and for the sup-

port of the government of the State of Nevada, for the years 1911 and 1912:

SEC. 2. For the salary of the governor, eight thousand (\$8,000) dollars. Governor

SEC. 3. For the salary of the governor's private secretary, four thousand eight hundred (\$4,800) dollars. Private secretary

SEC. 4. For the salary of the clerk of the governor's office, two thousand four hundred (\$2,400) dollars. Clerk

SEC. 5. For traveling expenses of governor and attorney-general, two thousand five hundred (\$2,500) dollars. Traveling expenses

SEC. 6. For repairs on governor's mansion and building of fence, one thousand (\$1,000) dollars. Governor's mansion

SEC. 7. For the salary of lieutenant-governor and ex officio adjutant-general, three thousand six hundred (\$3,600) dollars. Lieutenant-governor

SEC. 8. For the salary of attorney-general, four thousand dollars (\$4,000). Attorney-general

SEC. 9. For the salary of deputy attorney-general, four thousand eight hundred (\$4,800) dollars. Deputy attorney-general

SEC. 10. For the salary of attorney-general and ex officio mineral land commissioner, five thousand (\$5,000) dollars. Mineral land commissioner

SEC. 11. For the salary of stenographer in attorney-general's office, two thousand four hundred (\$2,400) dollars. Stenographer

SEC. 12. For the salary of the secretary of state, four thousand eight hundred (\$4,800) dollars. Secretary of state

SEC. 13. For the salary of deputy secretary of state, four thousand eight hundred (\$4,800) dollars. Deputy

SEC. 14. For salary of clerk in the secretary of state's office, four thousand (\$4,000) dollars. Clerk

SEC. 15. For salary of stenographer in the secretary of state's office, two thousand four hundred (\$2,400) dollars. Stenographer

SEC. 16. For salary of typists in the secretary of state's office, seven thousand two hundred (\$7,200) dollars. Typists

SEC. 17. For salary of clerk in the state library, three thousand six hundred (\$3,600) dollars, to be paid under the direction of the secretary of state. State library clerk

SEC. 18. For furnishing office of secretary of state and state library, fifteen hundred (\$1,500) dollars. Furniture

SEC. 19. For the salary of state controller, four thousand eight hundred (\$4,800) dollars. State controller

SEC. 20. For salary of the deputy state controller, four thousand (\$4,000) dollars. Deputy

SEC. 21. For the salary of the typist in the office of controller of state, two thousand four hundred (\$2,400) dollars. Typist

SEC. 22. For salary of state treasurer, four thousand eight hundred (\$4,800) dollars. State treasurer

SEC. 23. For the salary of the deputy state treasurer, four thousand (\$4,000) dollars. Deputy

SEC. 24. For salary of clerk in the office of state treasurer, two thousand four hundred (\$2,400) dollars. Clerk

SEC. 25. For the salary of the surveyor-general and land Surveyor-general

register, four thousand eight hundred (\$4,800) dollars, payable out of the school fund.

Deputy SEC. 26. For salary of the deputy surveyor-general and state land register, four thousand (\$4,000) dollars.

Draughts- SEC. 27. For the salary of draughtsman in the state land man office, four thousand (\$4,000) dollars.

Stenog- SEC. 28. For the salary of the stenographer in the state rapher land office, two thousand four hundred (\$2,400) dollars.

Clerk SEC. 29. For the salary of clerks in the state land office, for the years 1911 and 1912 and for transcribing records, four thousand (\$4,000) dollars, payable out of the state school fund.

Township SEC. 30. For the purchase of township plats from the United plats States surveyor-general's office, providing that the price per plat shall not exceed six dollars, three hundred dollars (\$300), payable out of the state school fund.

Superintend- SEC. 31. For the salary of state superintendent of public ent of public instruction instruction and ex officio curator of state museum, four thousand (\$4,000) dollars, payable out of the general school fund.

Typist SEC. 32. For the salary of typist in the office of superintendent of public instruction, two thousand four hundred (\$2,400) dollars.

Repairs SEC. 33. For general repairs and improvements in the office of state superintendent of public instruction, four hundred (\$400) dollars.

Traveling SEC. 34. For traveling expenses of the state superintendent expenses of public instruction, eight hundred (\$800) dollars, payable out of the general school fund.

Text-book SEC. 35. For text-book commission, one thousand (\$1,000) commission dollars.

Teachers' SEC. 36. For expenses for teachers' institute for 1911 and institutes 1912 (one state institute and five district institutes), one thousand (\$1,000) dollars.

Teachers' ex- SEC. 37. For expenses of conducting the teachers' examinations, grading the papers, and the payment of incidental aminations expenses, eighteen hundred (\$1,800) dollars.

Deaf, dumb, SEC. 38. For the tuition and support of the deaf, dumb, and blind and blind eight thousand (\$8,000) dollars.

Virginia min- SEC. 39. For the support of Virginia City school of mines for ing school the years 1911 and 1912, thirty-six hundred (\$3,600) dollars.

Deputy SEC. 40. For the salary of deputy superintendent of public superintend- instruction, district No. 1, four thousand (\$4,000) dollars. For ent of public instruction, district No. 1 traveling expenses, one thousand (\$1,000) dollars. For office expenses, six hundred and fifty (\$650) dollars.

District No. 2 SEC. 41. For salary of deputy superintendent of public instruction, district No. 2, four thousand (\$4,000) dollars. For traveling expenses, fifteen hundred (\$1,500) dollars. For office expenses, six hundred and fifty (\$650) dollars.

District No. 3 SEC. 42. For salary of deputy superintendent of public instruction, district No. 3, four thousand (\$4,000) dollars.

For traveling expenses, one thousand (\$1,000) dollars. For office expenses, six hundred and fifty (\$650) dollars.

SEC. 43. For salary of deputy superintendent of public instruction, district No. 4, four thousand (\$4,000) dollars. District No. 4

For traveling expenses, fifteen hundred (\$1,500) dollars. For office expenses, eight hundred (\$800) dollars.

SEC. 44. For salary of deputy superintendent of public instruction, district No. 5, four thousand (\$4,000) dollars. District No. 5

For traveling expenses, fifteen hundred (\$1,500) dollars. For office expenses, eight hundred (\$800) dollars.

SEC. 45. For salary of the justices of the supreme court, thirty-three thousand (\$33,000) dollars. Justices supreme court

SEC. 46. For salary of the clerk of the supreme court, four thousand eight hundred (\$4,800) dollars. Clerk supreme court

SEC. 47. For salary of deputy clerk of supreme court, three thousand two hundred and fifty (\$3,250) dollars. Deputy

SEC. 48. For salary of reporter of decisions, twelve hundred (\$1,200) dollars. Reporter of decisions

SEC. 49. For salary of official reporter of supreme court, three thousand (\$3,000) dollars. Official reporter

SEC. 50. For salaries of two stenographers for supreme court, six thousand (\$6,000) dollars. Stenographers

SEC. 51. For salary of the bailiff of the supreme court, one thousand (\$1,000) dollars. Bailiff

SEC. 52. For indexing and compiling Nevada reports (33 and 34), one thousand four hundred (\$1,400) dollars. Compiling reports

SEC. 53. For publication of supreme court decisions and official advertising, two thousand four hundred (\$2,400) dollars. Official advertising

SEC. 54. For typewriting machine, to be used in Judge Talbot's office, one hundred (\$100) dollars. Typewriter

SEC. 55. For traveling and necessary expenses of district judges, eight thousand (\$8,000) dollars. Traveling expenses district judges

SEC. 56. For salary of superintendent of state printing, six thousand (\$6,000) dollars. State printer

SEC. 57. For salary of typist and bookkeeper to state printer, two thousand four hundred (\$2,400) dollars. Bookkeeper

SEC. 58. For support of the State Printing Office, forty-two thousand five hundred (\$42,500) dollars. State printing

SEC. 59. For bookbinding, six thousand (\$6,000) dollars, to be expended under the direction of the superintendent of state printing. Bookbinding

SEC. 60. For reserve fund of State Printing Office, two thousand five hundred (\$2,500) dollars, to be expended under the direction of the state board of examiners. Reserve fund

SEC. 61. For printing and binding Nevada Reports Nos. 33 and 34, three thousand six hundred (\$3,600) dollars, to be expended under the direction of the superintendent of state printing. Nevada reports

SEC. 62. For new material and repairs for the State Printing Office, two thousand (\$2,000) dollars. New material

Orphans' Home	SEC. 63. For the support and maintenance of the State Orphans' Home, to be expended under the direction of the board of directors, forty-two thousand (\$42,000) dollars.
Repairs	SEC. 64. For repairs and improvements on buildings of the State Orphans' Home, one thousand five hundred (\$1,500) dollars.
Superintendent and matron	SEC. 65. For salary of superintendent and matron of Orphans' Home, four thousand eight hundred (\$4,800) dollars.
Teachers	SEC. 66. For salary of teacher and assistant, two thousand six hundred dollars (\$2,600).
Hospital for Mental Diseases	SEC. 67. For the support of the Hospital for Mental Diseases, to be expended under the direction of the board of commissioners for the care of the indigent insane, ninety-two thousand (\$92,000) dollars.
Repairs, etc.	SEC. 68. For repairs and improvements on buildings of Hospital for Mental Diseases, twenty thousand (\$20,000) dollars.
Draft horses	SEC. 69. For purchase of draft horses, two thousand (\$2,000) dollars for use of Hospital for Mental Diseases.
Driving horses	SEC. 70. For purchase of a pair of driving horses, five hundred (\$500) dollars, for use of Hospital for Mental Diseases.
Discharged patients	SEC. 71. For relief of discharged patients, four hundred (\$400) dollars, from Hospital for Mental Diseases.
Chaplain	SEC. 72. For chaplain at Hospital for Mental Diseases, four hundred and eighty (\$480) dollars.
Library	SEC. 73. For books and support of library at Hospital for Mental Diseases, two hundred (\$200) dollars.
State Prison	SEC. 74. For the support of the Nevada State Prison, one hundred and fifty thousand (\$150,000) dollars.
Death watch	SEC. 75. For salary and subsistence of the guards called "death watch" and care of condemned prisoners under sentence of death, six thousand (\$6,000) dollars.
Warden	SEC. 76. For salary of warden of State Prison, six thousand (\$6,000) dollars.
Repairs	SEC. 77. For repairs of Nevada State Prison, five thousand (\$5,000) dollars.
State Police	SEC. 78. For support of the Nevada State Police, twenty-five thousand (\$25,000) dollars.
Rewards	SEC. 79. For payment of rewards offered by the governor, two thousand (\$2,000) dollars.
Veterinarian	SEC. 80. For salary of state veterinarian, five hundred and fifty (\$550) dollars.
Bohen	SEC. 81. For the support of Bohen, one hundred and fifty (\$150) dollars.
Railroad commission	SEC. 82. For salary of railroad commissioners, twenty-three thousand (\$23,000) dollars.
Secretary	SEC. 83. For salary of secretary to railroad commission, four thousand eight hundred (\$4,800) dollars.
General expenses	SEC. 84. For general expenses of railroad commission, fifteen thousand (\$15,000) dollars.

- Sec. 85. For salary of inspector of mines, seven thousand two hundred (\$7,200) dollars. Inspector of mines
- Sec. 86. For salary of deputy inspector of mines, four thousand eight hundred (\$4,800) dollars. Deputy
- Sec. 87. For traveling and other expenses of inspector of mines, four thousand (\$4,000) dollars. Traveling expenses
- Sec. 88. For office expenses of inspector of mines, three thousand (\$3,000) dollars. Office expenses
- Sec. 89. For salary of license and bullion tax agent, five thousand (\$5,000) dollars. License and bullion tax agent
- Sec. 90. For traveling expenses of license and bullion tax agent, three thousand (\$3,000) dollars. Traveling expenses
- Sec. 91. For support of state board of health, one thousand (\$1,000) dollars. Board of health
- Sec. 92. For the support of state board of assessors and necessary expenses, four thousand (\$4,000) dollars. Board of assessors
- Sec. 93. For support of state engineer's office, thirty thousand (\$30,000) dollars. State engineer's office
- Sec. 94. For support of historical society, five thousand (\$5,000) dollars. Historical society
- Sec. 95. For support of departments of the University of Nevada, one hundred and seventy-two thousand one hundred and thirty dollars (\$172,130); ninety-four thousand one hundred and thirty (\$94,130) dollars to be taken from general fund; eight thousand from interest account, 90,000-acre grant; and seventy thousand dollars from contingent university fund. University
- Sec. 96. For regents' fund of the university, four thousand (\$4,000) dollars. Regents' fund
- Sec. 97. For support of experiment station at university, five thousand (\$5,000) dollars. Experiment station
- Sec. 98. For the purchase of stock for the university, five thousand (\$5,000) dollars. Stock for university
- Sec. 99. For improvements of grounds of the university, ten thousand (\$10,000) dollars. Improvements
- Sec. 100. For support of hygienic laboratory, two years, ten thousand (\$10,000) dollars. Hygienic laboratory
- Sec. 101. For support of food and drug control, two years, twelve thousand (\$12,000) dollars. Food and drug control
- Sec. 102. For insurance on State Printing Office, five hundred (\$500) dollars. Insurance, printing office
- Sec. 103. For insurance on capitol building, library building, armory building, state library, public records and furniture, three thousand (\$3,000) dollars. Insurance, capitol building
- Sec. 104. For salary of watchmen of capitol building, four thousand nine hundred and fifty (\$4,950) dollars. Watchmen
- Sec. 105. For salary of janitor of capitol building, two thousand six hundred (\$2,600) dollars. Janitor
- Sec. 106. For salary of gardener and assistant janitor of capitol, two thousand six hundred (\$2,600) dollars. Gardener
- Sec. 107. For salary of fireman of library and capitol building, two thousand six hundred (\$2,600) dollars. Fireman

Stationery, etc.	SEC. 108. For stationery, fuel and lights for state offices and the state capitol building and grounds, ten thousand (\$10,000) dollars.
Current ex- penses, etc.	SEC. 109. For current expenses, telegraph, postal and contingent, for the state officers, supreme court and state library, and for transportation of state property, ten thousand (\$10,000) dollars.
Grounds and water	SEC. 110. For expenses of capitol and state printing building, grounds and water, three thousand (\$3,000) dollars.
Repairs	SEC. 111. For repairs on capitol building, two thousand (\$2,000) dollars.
Election expenses	SEC. 112. For election expenses, one thousand (\$1,000) dollars.
Fish commission	SEC. 113. For necessary expense and maintenance of fish commission, ten thousand (\$10,000) dollars.
Military laws	SEC. 114. For the care and transportation of military property, and contingent expenses of the adjutant-general's office, one thousand (\$1,000) dollars.
Juvenile delinquents	SEC. 115. For the tuition and support of juvenile delinquents of the state in the industrial schools of other states, \$7,500.

CHAP. 76—*An act in relation to the act of congress known as the Carey act, and all acts amendatory thereof and supplemental thereto, and governing the state commission of industry, agriculture and irrigation as heretofore or may be hereafter created and established by law in the control of the selection, management and disposal of all lands granted the state under the provisions thereof.*

[Approved March 17, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. That the State of Nevada hereby accepts the terms and conditions of section four of the act of congress approved August eighteenth, eighteen hundred and ninety-four (28 U. S. Stat. 372-422), commonly known as the "Carey Act," and all acts amendatory thereof or supplemental thereto, heretofore, or which may be hereafter, passed by the congress of the United States, together with all the grants of land heretofore made, or which may hereafter be made, to the state by the general government under the provisions thereof.

SECTION 2. The selection, management and disposal of said land shall be vested in the state commission of industry, agriculture and irrigation as is or may be heretofore created and established by law, and the surveyor-general is hereby designated as state registrar of lands under the Carey act.

SECTION 3. Any person or persons, association, company or corporation constructing, having constructed, or desiring to con-

struct, impounding dams, canals, ditches or other irrigation works, pumping plants, or artesian wells, to reclaim lands under the provisions of this act, may file with said commission an application for the temporary withdrawal of such lands under the provisions of the act of congress of March fifteenth, nineteen hundred and ten (public 87), designating the same by legal subdivisions. Such application shall be prepared and submitted in accordance with such general rules and regulations as the commission may adopt and prescribe, and which shall be in conformity with any regulations of the department of the interior, and shall be accompanied by the certificate of the state engineer that application for permit to appropriate water therefor has been filed in his office.

Lands with-
drawn, how

SEC. 4. A filing fee of one cent per acre for the total number of acres requested to be temporarily withdrawn shall accompany such application.

Filing fee

SEC. 5. All such applications, prepared and submitted in accordance with the rules and regulations of the commission and of the department of the interior, shall be referred to the state engineer who shall submit a written report thereon, and which shall cover such information regarding water supply, feasibility of project, status of the water right, and other data necessary to enable the state register of lands under the Carey act to make the proper application and certification required by the general land office in such cases. No application on which the state engineer has reported adversely shall be approved by the commission, but if the state engineer report favorably thereon, said commission shall, at its earliest convenience, consider the same, and if a majority of the members approve the application (or approve a modification of such application, in which case, on the acceptance by the applicant of such modification), said commission shall direct the state register of lands under the Carey act to file in the local U. S. land office a request for the temporary withdrawal of the lands described.

State
engineer to
report on
applications

SEC. 6. Immediately after any application has been approved by the commission and prior to the filing of the request for the temporary withdrawal in the U. S. land office, said applicant shall deposit with the commission a sum which, according to the estimate of the state engineer, will cover the entire cost of the surveys, determinations, maps and plats required by the secretary of the interior before approving a segregation and allotment of such lands to the state. Such deposit shall be for a guarantee that all such surveys, determinations, maps and plats shall be properly and in good faith made on the part of the applicant, and completed and filed with said commission for its examination at least ninety days prior to the termination of the temporary withdrawal, and also to cover any fees and expenses of the state engineer authorized by law to be collected and charged against the applicant in such cases; and said state engineer is hereby

Money to be
deposited to
cover all
preliminary
costs

empowered to supervise such surveys and determinations. From time to time, as such surveys, determinations, and the preparation of such maps and plats progress, and on requisition by the state engineer, said applicant shall be reimbursed from such deposit for the accrued costs of the same; *provided*, that any such applicant, desiring to relinquish and abandon such project prior to the completion of such surveys and determinations, who shall serve a written notice to such effect upon the commission, accompanied with a relinquishment to the state of his application for a water right, shall be reimbursed the unexpended balance of his deposit.

Request for
segregation
to be filed

SEC. 7. Any applicant who shall submit his application for a segregation in a form complying with the requirements of the commission and of the secretary of the interior in respect to surveys, determinations, maps, plats, water rights, etc., and which shall be approved by the state engineer and by the commission, may waive request for a temporary withdrawal and, on payment to the commission of a fee of one cent per acre, and any fee required by the state engineer for any verification thereof; and any applicant who has completed the requirements of a temporary withdrawal in respect to such fees, surveys, determinations, maps, plats, water rights, etc., and who shall pay the segregation fee required by the U. S. land office, the state register of lands under the Carey act by direction of the commission, shall file a request on the part of the state for a segregation of the lands embraced in such approved application.

Commission
to enter into
contract with
applicant,
when

SEC. 8. Upon the approval of the secretary of the interior of the application for a segregation, it shall be the duty of the commission to enter into a contract with the applicant for such segregation, which contract shall contain such complete specifications with respect to the system of irrigation works proposed to reclaim the lands of such segregation as the commission, by its regulations, shall prescribe; the price, conditions and terms per acre at which such works and perpetual water rights shall be sold to settlers; the price, terms and conditions on which the state is to dispose of the lands to settlers, and such other and additional requirements and stipulations as shall insure and protect the good reputation of the state, and the rights of all parties in interest from date to the complete consummation of the enterprise. Such contract shall not be entered into until the contractor shall have filed a satisfactory bond in a penal sum equal to five per cent of the estimated cost of the works, which shall be conditioned for the faithful performance of the provisions of the contract with this state; *provided*, that if within three months after notice by the commission to the applicant, by registered letter, addressed to his, their, or its last known address, that such segregation has been approved by the secretary of the interior, said applicant person or persons, association, company or corporation neglects or refuses to appear in person, or through its duly authorized officers, or

Bond

by agent satisfying the commission of his authority so to do, to enter into and execute a contract with the state and supply the bond as required, then said person or persons, association, company or corporation shall be declared in default by the commission (unless in the opinion of the commission an extension of time, not exceeding thirty days, should be granted), and all his, their or its rights and equities therein lapsed and defaulted to the state; and the commission may advertise the equity of such applicant for sale to the highest bidder, under such rules and regulations as it may prescribe, and sell the same and enter into a contract covering such segregation with the purchaser thereof, in which case the state engineer shall transfer the application for the water right in the name of and to such purchaser. The proceeds of any such sale shall be used, first, to cover the costs and expenses of advertisement and sale, second, to reimburse said defaulting applicant for his outlay in respect to such application, as the same may appear from the records and account of the commission and of the state engineer's office, and the surplus, if any, shall be deposited in the Carey act trust fund hereinafter created. In the case of any segregation approved by the secretary of the interior prior to the date this act goes into effect, where due notice to the applicant of such approval has been made by the state land register, said three months' limitation within which a contract must be signed shall begin to run from the date when this act goes into effect.

Extension of time, when

Proceeds of sale, how used

SEC. 9. No contract shall be entered into by the commission on the part of the state which requires a greater time than three years for the construction of the works, but all contracts must provide that work shall commence within three months from the date of said contract, that at least one-tenth of the construction work shall be completed within one year from the date of said contract, that construction shall be prosecuted diligently and continuously to completion, and that a cessation of the work under the contract with the state for a period of three months shall forfeit to the state all rights under said contract; *provided*, that if such three months' cessation of work shall occur in whole, or in part during the months of December, January, February, and March, and shall be caused by the inclemency of the weather, it shall not be deemed a forfeiture.

Contracts limited as to time of construction of works

Proviso

SEC. 10. Any contract, so entered into, may be subsequently modified, if in the opinion of the commission such modification conserves and protects the public welfare and the rights of settlers; *provided*, that if such modification relates to changes in the irrigation works or system or to an extension of time for the completion thereof, the consent of the state engineer shall be a condition precedent to any act of the commission authorizing the same. Any contract so entered into may contain a stipulation for the subsequent enlargement of the works to irrigate more land under the Carey act, but no

Modification of contract, when

such enlargement shall be undertaken except in accordance with the requirements of an original application.

State not
obligated

SEC. 11. Nothing in this act shall be construed as authorizing said commission to obligate the state to pay for any work constructed under any contract or to hold the state in any way responsible to settlers for the failure of contractors to complete the work according to the terms of their contracts with the state.

Assignment
of contracts
not recog-
nized under
certain con-
ditions

SEC. 12. No assignment by any applicant for a temporary withdrawal or segregation, of any right, interest, claim or equity therein, before or after its approval, and before contract shall actually have been entered into with the state, shall be recognized by the commission, without it be accompanied with a certificate signed by the assignee that he has had in his possession, and examined for his own information, a statement of the status of such application, or approved segregation, prepared and subscribed by the state register of lands under the Carey act of date not older than thirty days preceding the date of the execution of the assignment; and any assignment, without such statement in the actual possession of the assignee prior to the execution thereof, if for a valuable consideration shall render the assignor liable to prosecution for fraud. No assignment shall be valid until it receive the approval of the commission, when the same, or a certified copy thereof, shall be filed with the commission by the assignee.

Commission
to fix price
of lands

SEC. 13. Said commission is hereby authorized to fix the price at which the state shall dispose of lands in each segregation to settlers, which shall not be less than fifty cents per acre nor more than one dollar per acre, depending on the location, character of the land and climatic conditions; the proceeds of which shall be deposited in the state treasury, in a fund hereby created for such purpose, to be known as Carey act trust fund.

Payment not
made until
water is
available

SEC. 14. No person, or persons, association, company or corporation, contracting with the state under the provisions of this act, or their assigns, shall require any advance payment of any settler or prospective settler, prior to the time that water for the irrigation of his entry or allotment is actually available, unless a satisfactory bond in such sum as the commission shall require shall be deposited with the commission, conditioned on the return to the settler, with interest at six per cent per annum thereon, of all payments so made, if water for the irrigation of his entry or allotment is not available at the time stipulated in the agreement with such settler; *provided*, that in lieu of a bond as aforesaid, said commission may authorize advanced sales to be made by, or through the agency of, a bank or trust company furnishing satisfactory assurances and guarantees that if said project is not consummated to deliver water for the irrigation of such settler's entry or allotment within the time specified, such payments with interest shall be returned to the settler.

Bond

Proviso

Limitation of
time as to
construction;
penalties

SEC. 15. Upon the failure of any parties having contracts with the state for the construction of irrigation works to begin the same within the time specified by the contract, or to com-

plete the same within the time or in accordance with the specifications of the contract with the state, to the satisfaction of the state engineer, it shall be the duty of the commission to give such parties written notice of such failure, signed by the chairman of said commission and the state register of lands under the Carey act; and if, after a period of sixty days after the sending of such notice, they shall have failed to proceed with the work or to conform to the specifications of their contract with the state, the bond and contract of such parties, and all works constructed thereunder, shall be at once and thereby forfeited to the state; and it shall be the duty of the commission at once so to declare and to give notice, once each week, for a period of four weeks, in some newspaper of general circulation in the county or counties in which the work is situated, and in one newspaper at the state capital in like manner and for a like period, of the forfeiture of said contract, and that upon a fixed day proposals will be received at the office of the commission at Carson City for the purchase of the incompleated works and for the completion of the contract, the time of receiving said bids to be at least sixty days subsequent to the issuing of the last notice of forfeiture. The money received by the commission from the sale of partially completed works under the provisions of this section shall first be applied to the expenses incurred by the state in their forfeiture and disposal, and to satisfy the bond; and the surplus, if any exists, shall be paid to the original contractors with the state. Said commission shall give notice in its advertisement for proposals for the purchase of such incompleated works that the successful bidder therefor shall be required, before the transfer of ownership, to furnish a satisfactory bond in a prescribed sum conditioned for the faithful fulfilment of the uncompleted provisions of the contract with the state.

Notice by
publication
in newspaper

Money from
sale, how
applied

SEC. 16. Said commission shall determine the time, manner and conditions under which lands and water rights of any segregation, or any part thereof, shall be thrown open for entry by, or sale to, intending settlers.

Commission
to determine
conditions of
opening land
for entry

SEC. 17. Any citizen of the United States, or person who has declared his intention to become such, over the age of twenty-one years, including married women, may make application under oath to the commission to enter any of such land in an amount not to exceed one hundred and sixty acres for any one person; and such application shall set forth that the person desiring to make such entry does so for the purpose of actual reclamation, cultivation and settlement in accordance with the act of congress and the laws of this state relative thereto, and that the applicant has never received the benefit of the provisions of this act to an amount greater than one hundred and sixty acres, including the number of acres specified in the application under consideration. Said application must be accompanied by a certified copy of a contract for a perpetual water right, made and entered into by the party

Qualifica-
tions of
applicants
for land

Applications
to be accom-
panied by
contract for
perpetual
water right

making application with the person or persons, association, company or corporation authorized by the commission to furnish water for the reclamation of said lands; and if said applicant has at any previous time entered lands under the provisions of this section he shall so state in his application, together with the description, date of entry and location of such land. The commission shall thereupon file in its office the application and papers relating thereto and, if allowed, issue a certificate of location to the applicant. All applications for entry shall be accompanied by a payment of twenty-five cents per acre, which shall be a partial payment on the land if the application is allowed; and all certificates when issued shall be recorded in a book to be kept for that purpose. If the application is not allowed, the twenty-five cents per acre accompanying it shall be refunded to the applicant. The balance unpaid on the price fixed by the commission for the land allowed an applicant shall be due and payable in such installments and at such times as the commission shall prescribe, but before patent shall issue the full price of such land shall have been paid by the settler.

Certificate of location, when issued

Record to be kept

Final proof of reclamation, how made

Fees

Proviso

Oaths

SEC. 18. Within one year after a water right is available for the irrigation of the land described in a certificate of location, the settler shall cultivate and reclaim not less than one-sixteenth part of the land filed on, and within two years thereafter, shall have actually irrigated and cultivated not less than one-eighth thereof, and within three years thereafter the settler shall appear before the state register of lands under the Carey act, or the judge or clerk of any court of record within the state, or any agent designated by the commission, and make final proof of reclamation, settlement and occupation, in such form and according to such requirements as may be prescribed by the commission or the department of the interior. The officer taking this proof shall be entitled to receive a fee of two dollars, which fee shall be paid by the settler and shall be in addition to the price paid the state for the land; *provided*, that when the state register of lands under the Carey act takes final proof, all fees received by him shall be turned into the Carey act trust fund. Said state register and the agents appointed by the commission are hereby authorized to administer oaths required under this act. All proofs so received shall be accompanied with the final payment for said land, and upon approval by the commission the settler shall be entitled to the patent. If the land shall not be embraced in any patent theretofore issued to the state by the United States, the proofs shall be forwarded to the secretary of the interior, with the request that a patent to said lands be issued to the state. When the works designed for the irrigation of lands under the provisions of this act shall be so far completed as to actually furnish in a substantial ditch, or canal, or by artesian wells or reservoirs, water to reclaim any particular tract or tracts of such land, the State of Nevada, may, by, and in the discretion of, said com-

mission, make proof of such fact, and apply for a patent to such lands in the manner provided by the act of congress approved June eleventh, eighteen hundred and ninety-six.

SEC. 19. Upon the issuance of a patent to any lands by the United States, notice shall be forwarded to the settler upon such land. All patents issued by the state to the settler shall be signed by the governor and attested by the state register of lands under the Carey act, and under such seal as the commission may adopt for such purpose, and shall be recorded in the office of said state register in a book kept for that purpose. No patent shall issue on an assignment of a certificate of location, or by reason of a process of foreclosure, unless the assignee or purchaser under foreclosure, possesses all the qualifications of an original applicant.

Patents to land.
regulations concerning issue of

SEC. 20. The water rights to all lands acquired under the provisions of this act shall attach to and become appurtenant to the land as soon as the title passes from the United States to the state. Any person or persons, association, company or corporation, furnishing water for any tract of land, shall have a first and prior lien on said water right and land upon which said water is used, for all deferred payments for said water right; said lien to be in all respects prior to any other and all other liens created or attempted to be created by the owner and possessor of said land; said lien to remain in full force and effect until the last deferred payment for the water right is fully paid and satisfied according to the terms of the contract under which said water right is acquired. The contract for the water right upon which the aforesaid lien is founded shall be recorded in the office of the recorder of the county where said land is situated.

Water rights to attach to lands

SEC. 21. Upon default of any deferred payments secured by any lien under the provisions of this act, the person or persons, association, company or corporation, holding or owning said lien, may foreclose the same according to the terms and conditions of the contract granting and selling to the settler the water right. All sales shall be advertised in a newspaper of general circulation, published in the county where said land and water right are situate, once each week, for six consecutive weeks, and shall be sold to the highest bidder at the front door of the court-house, or such place as may be agreed by the terms of the aforesaid contract. And the sheriff of said county shall in all cases give all notices of sale, and shall sell all such lands and water rights, and shall make and execute a certificate of sale to the purchaser thereof. And at such sale no person or persons, association, company or corporation, owning or holding any lien, shall bid in or purchase any land or water right at a greater price than the amount due on said deferred payment for said water right and land and the cost incurred in making the sale of the same.

Default of deferred payments on lands

Sale of land, when

Restrictions regarding said sale

SEC. 22. At any time within six months after the foreclosure sale by the sheriff of the land and water rights afore-

Land may be
redeemed
within six
months

said, the original owner against whom the lien has been foreclosed, may apply to the person or persons, association, company or corporation, purchasing at such sale, to redeem such land and water rights, and the purchaser shall assign the certificate of sale of such land and water rights to such original owner upon the payment by him, within such six months, of the amount of the lien for which the same was sold, together with the interest, costs and fixed charges thereon. Where the lien holder becomes the purchaser at such foreclosure sale, if such land and water rights are not redeemed by the original owner within six months, then at any time within six months thereafter any person (possessing the qualifications of an original applicant if patent has not yet issued), desiring to settle upon and use such land and water rights, may apply to the purchaser at such foreclosure sale to redeem such land and water rights, and such purchaser shall assign the certificate of sale thereof to the person desiring to redeem the same upon the payment by him, within such six months, of the amount of lien for which the same was sold at such foreclosure sale, together with the interest, costs and fixed charges thereon; *provided*, that in all cases arising under the provisions of this section and the section preceding, the right of the state to secure any unpaid balance due on the selling price of the land shall be protected.

Proviso

Sheriff to
record
certificate of
sale

SEC. 23. Upon issuing any certificate of sale, it shall be the duty of the sheriff to file for record in the office of the recorder of the county where such land is situated, a certified copy of such certificate of sale; and in case the original owner shall redeem the land and water rights, said original owner shall file for record in the office of such recorder the certificate of sale assigned to him by the purchaser. In case the land and water rights shall be redeemed by any person other than the original owner, the sheriff shall, upon presentation of such certificate, if patent for the land has issued, issue a deed, otherwise a transfer (subject to any unpaid balance on the land due the state) of such land and water rights to the person so redeeming the same. If the land and water rights shall not be redeemed by any person within the times and in such manner hereinbefore provided, it shall be the duty of the sheriff, upon presentation of the certificate of sale by the original purchaser, to issue a deed or transfer as aforesaid to the purchaser. Where such land and water rights are not purchased by the lien holder at such foreclosure sale, it shall be the duty of the sheriff to first pay the lien holder out of the proceeds of such sale the amount of the lien, together with all interests, costs and fixed charges thereon, next the state and unpaid balance on the selling price of the land if patent has not issued, and any residue remaining to the person against whom such lien has been foreclosed, and for his services in such cases the sheriff shall receive the same fees as are provided by law in civil cases.

Deed issued,
when

SEC. 24. Said commission is hereby authorized and empow-

ered to establish, and require the observance of, such rules and regulations as it may deem necessary, proper or expedient, not in conflict with law or the regulations of the department of the interior, with respect to the administration of the provisions of this act, and which shall be published from time to time in pamphlet form for free distribution.

Commission to make and enforce rules

SEC. 25. There is hereby established, as a department of the bureau of industry, agriculture and irrigation, as is or may be created by law, the department of Carey act lands, and which shall be in charge of the state register of lands under the Carey act, subject to the general supervision and control of the commission. Said state register may appoint a deputy and such clerical and other assistance as may be required in such department, at such compensation as the commission may fix. He shall be the custodian of all papers, documents, maps and plats relating to such department, receive and receipt for all fees and payments required to be paid under the provisions of this act, or under any rule or regulation of the commission, and deposit the same with the state treasurer to the credit of the Carey act trust fund; conduct all correspondence relating to such department, perform such other duties as the commission may prescribe and is hereby named as the authorized agent of the state to enter into and to execute, for and in behalf of the state, the agreement prescribed by the secretary of the interior binding the state in respect to the disposal of lands under the Carey act. He shall be entitled to such compensation for his services as state register of lands under the Carey act as the commission may allow.

Department of Carey act lands established; state register of lands under the Carey act

SEC. 26. The following fees shall be collected by the commission under the provisions of this act and deposited with the state treasurer to be placed in the Carey act trust fund: For filing each application for entry of land, one dollar; for each assignment of entry, two dollars; for taking evidence in final proof, two dollars; for taking evidence of annual proof of cultivation, one dollar and fifty cents; for issuing each certificate of location, one dollar; for issuing each patent, one dollar; for making certified copies of papers or records, twenty cents per folio for the original, and five cents per folio for each carbon copy thereof; for each application for a temporary withdrawal or a permanent segregation, but not twice for the same lands by the same applicant, one cent per acre for the total number of acres covered by the application, and for each statement of the status of an application for a segregation, prepared for the information of a prospective assignee thereof, twenty-five dollars.

Various fees enumerated

SEC. 27. The services of the state engineer shall be compensated for by such fees and expense allowances as are authorized by law to be assessed against an applicant for a water right and for his inspection, supervision and report upon the proposed irrigation works of such applicant, and all other services of the state engineer, if the expense thereof is not covered

Services of state engineer, how paid

by existing law, shall be assessed against the applicant, and shall be required in advance, and the state engineer shall render a statement to the commission therefor, showing the disposition thereof; but, except in special cases and for unusual services, the work of the state engineer in connection with the Carey act shall be taken care of under the fee and compensation system of his office. He shall be the authorized agent of the state to make desert land selections under the Carey act, and may depute an engineer under his office to act in his stead.

Name of
commission

SEC. 28. Said commission shall be known collectively as "State Commission of Industry, Agriculture and Irrigation," and in that name may sue and be sued in any action at law brought under the provisions of this act.

Annual
report

SEC. 29. The state register of lands under the Carey act at the close of each fiscal year shall submit a detailed report of the transactions of his department to said commission, and on its approval, such number of copies thereof shall be printed for gratuitous distribution as the commission may direct; *provided*, that all pending proceedings before the commission and the state engineer, except the application for permit for a water right, shall not be made public or be open to public inspection until the application for temporary withdrawal or a segregation is filed in the U. S. land office.

Proviso

Proceeds of
sale of lands
under control
of the
commission

SEC. 30. Subject to the provisions of the act of congress, approved August eighteenth, eighteen hundred and ninety-four, the proceeds derived by the state from fees and the sale of Carey act lands, and by this act required to be deposited in the Carey act trust fund, shall be subject to control and disposition by said commission and may be used and drawn upon by said commission from time to time for the following purposes, and for none other:

Proceeds of
sale, how
applied

First—For the payment of all expenses, clerical assistance, and the compensation of the state register of lands under the Carey act, necessary to the administration and conduct of the said department of Carey act lands of the bureau of industry, agriculture and irrigation.

Second—For the reclamation, under the control and direction of the commission, of desert lands in the state, other than those included in any segregation or application for a temporary withdrawal by any applicant except the state.

Third—For such experimentation in agriculture, horticulture and forestry as shall aid the reclamation of the desert lands of the state.

Fourth—For such advertisement and publicity of the desert lands of the state as may advance their settlement and reclamation.

Money
appropriated
from treasury
for use of
commission

Until said Carey act trust fund shall have received deposits from fees and sales of land under the provisions of this act sufficient to meet the necessary disbursements arising under the first foregoing paragraph, the state controller and state treasurer are hereby authorized and directed to transfer from

the general fund to said Carey act trust fund, from time to time, sufficient moneys to meet the same, not exceeding five thousand dollars, and such sum is hereby appropriated for that purpose; *provided*, that as soon thereafter as deposits to the credit of said fund, derived from fees and sales of lands shall be sufficient therefor, all sums so transferred shall be restored to the general fund. All disbursements from said Carey act trust fund shall be on certificates of the chairman of said commission, approved by the state board of examiners.

Proviso

SEC. 31. The provisions of this act with respect to fees and the price authorized to be established by the commission and charged settlers for the purchase of lands shall not be held to apply in cases where the segregation applied for by any person or persons, association, company or corporation has been approved by the secretary of the interior and the contract covering the same entered into with the state, and executed on the part of the state by the state land register, prior to April first, nineteen hundred and eleven; but in all such cases the provisions of section fifteen of the act of March twenty-third, nineteen hundred and nine, shall be held to apply as covering the same and said commission shall take such procedure under the terms thereof as shall reimburse the state for its actual expense and outlay in respect to proof of reclamation, settlement and occupation by settlers and the issuance of patent and recording the same; *provided*, that if prior to any actual sale of lands and water rights to settlers the contractor shall agree with the commission that such fees for proof of reclamation, settlement and occupation and for patent may be charged, the same shall apply.

Provisions nonapplicable, when

Exceptions

Proviso

SEC. 32. All contracts entered into on the part of the state with any person or persons, association, company or corporation on and after April first, nineteen hundred and eleven, irrespective of whether the segregation covered by said contract shall have been approved prior to the date this act goes into effect, shall be subject to the provisions of this act, and shall require the settler to pay such price as the commission shall establish for the land and the fees for proof of reclamation, settlement and occupation.

Certain contracts subject to these provisions

SEC. 33. All applications for a segregation after the date this act goes into effect, shall be covered by the provisions of this act, and irrespective of the fact that said land may have been temporarily withdrawn prior to such date, the fee of one cent per acre shall be required of the applicant before said commission shall authorize or direct the state register of lands under the Carey act to file the application for a segregation.

Applications covered by this act

SEC. 34. All acts and parts of acts in conflict with the provisions of this act are hereby repealed, including section three of the act of March twenty-third, nineteen hundred and nine. No provision of said act of March twenty-third, nineteen hundred and nine, shall hereafter be held to apply in any case other than as prescribed in section thirty-one of this act.

Certain acts repealed

SEC. 35. This act shall take effect on the first day of April, nineteen hundred and eleven.

In effect

CHAP. 77—*An act authorizing and directing the state board of commissioners for the care of the indigent insane to convey to Washoe County, State of Nevada, a right of way for a public highway to be taken from the south end of lots 3 and 10 of the northeast quarter of section 7, township 19 north, ranges 20 east, M. D. B. & M., in Washoe County, State of Nevada.*

[Approved March 18, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION. 1 The state board of commissioners for the care of the indigent insane are hereby authorized and directed to convey to Washoe County, State of Nevada, a right of way for a public highway, and to make, execute and deliver any and all necessary deeds and conveyances of the same within thirty days after a request therefor from the board of county commissioners of said Washoe County; said grant of said right of way shall not be less than thirty feet in width and be taken from the south end or side of lots 3 and 10 of the northeast quarter of section 7, township 19 north, range 20 east, M. D. B. & M., in Washoe County, State of Nevada.

Right of way
granted for
public high-
way through
grounds of
Nevada
Hospital for
Mental
Diseases

SEC. 2. This act shall take effect and be in force immediately.

CHAP. 78—*An act to protect public roads and highways from damage by water, and to provide a penalty for a failure to do so.*

[Approved March 18, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. From and after the passage of this act, all persons, corporations or associations conducting water across any public road or highway, or across any street or alley in any unincorporated town in this state, for domestic, mining, agricultural or manufacturing purposes, shall construct and maintain, at their own expense, good and substantial culverts or bridges, over such crossing, and shall in no case allow any stream of water, diverted from its natural channel for such purpose by them, to flood or wash any public road or any street or alley in any unincorporated town of this state.

All persons
and corpora-
tions to pre-
vent damage
by water to
public roads
and streets

Penalties

SEC. 2. Any person, corporation or association which shall fail or refuse to construct and maintain culverts and bridges as in section one of this act specified, or which shall fail, after five days' written notice, served upon them by the proper

authorities to repair all damages by them caused by flooding any road or highway shall be deemed guilty of a misdemeanor, and upon conviction thereof shall, for the first offense be fined not less than twenty-five dollars, nor more than fifty dollars, and for each subsequent offense shall be fined not less than fifty dollars nor more than one hundred dollars, or by imprisonment in the county jail for a term not less than thirty days nor exceeding six months. Penalties

CHAP. 79—*An act to provide for repairing and renovating the senate and assembly chamber in the capitol building of the State of Nevada; recarpeting the floor of said chamber and procuring and replacing therein the dais of the president of the senate and speaker of the house, together with new and modern desks for the use of the secretary and clerks of the senate and chief clerk of the assembly.*

[Approved March 18, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The state board of capitol commissioners is hereby authorized and required, as early as practicable after the adjournment of the twenty-fifth session of the Nevada Legislature, to have made in the senate and in assembly chambers of the state capitol of the State of Nevada, such repairs therein and thereon as in their judgment shall be necessary and proper, to renovate said chambers, purchase and place upon the floor thereof a new and suitable carpet, and remove and replace the dais of the president of the senate, together with the desks now used by the secretary and clerk of the senate with new and modern desks suitable for the purposes of the attachés designated, also desks for chief clerk and speaker of assembly. Repairs and furniture for legislative chambers

SEC. 2. For the purposes of carrying into effect the provisions of section 1 of this act, the sum of three thousand dollars is hereby appropriated out of any moneys in the general fund of the state treasury, not otherwise specially appropriated, to be expended under the direction of said state board of capitol commissioners. Appropriation

CHAP. 80—*An act to provide for the removal of the state mineral cabinet from the state capitol building to the mining department of the state university.*

[Approved March 18, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The state board of capitol commissioners are authorized and directed to provide for the removal of the

State
mineral
cabinet to go
to Mackay
school

state mineral cabinet, now situated in the corridor of the state capitol building, to the mining department of the state university at Reno. The board of regents of the Nevada State University shall designate some suitable person connected with the Mackay School of Mines to receive and superintend the removal of such cabinet.

SEC. 2. The professor in charge of the Mackay School of Mines shall make such exhibition of said cabinet as will be most advantageous to said school of mines.

Appropriation

SEC. 3. The sum of \$200 is hereby appropriated out of any money in the state treasury, not otherwise appropriated, to defray the expense of the removal and disposition of such mineral cabinet as in this act provided.

CHAP. 81—*An act to provide for the relief of the city of Reno.*

[Approved March 18, 1911]

Preamble

Street work
in front of
university

WHEREAS, In the year nineteen hundred and eight, the city of Reno, a municipal corporation, located in Washoe County, Nevada, performed work on the street in front of the Nevada State University to the amount of seven hundred forty-two and $\frac{5}{100}$ dollars, for curbing, guttering and macadamizing Ninth street from Virginia to Center streets, said work comprising 4,950 square feet of macadam, together with the necessary curb and gutter; and

WHEREAS, The said sum of seven hundred forty-two and $\frac{5}{100}$ dollars has never been paid to the city of Reno; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

\$742.50 to be
paid the city
of Reno

SECTION 1. The sum of seven hundred forty-two and $\frac{5}{100}$ dollars is hereby appropriated out of any moneys in the state treasury, not otherwise appropriated, to pay the said city of Reno for the expense of improving Ninth street between Virginia and Center streets in front of the Nevada State University, and the state controller is hereby directed and required to draw his warrant for said sum of seven hundred forty-two $\frac{5}{100}$ dollars in favor of the said city of Reno, and the state treasurer is hereby authorized and required to pay the same.

CHAP. 82—*An act amending section fourteen of an act entitled "An act to provide for the creation, organization and maintenance of the Nevada State Police, prescribing the powers and duties of the officers and members thereof in maintaining peace, order and quiet in the State of Nevada, fixing their compensation, providing certain penalties, and other matters relating thereto, making an appropriation therefor, and repealing all acts and parts of acts in conflict therewith," approved January 29, 1908.*

[Approved March 18, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. That section fourteen of an act entitled "An act to provide for the creation, organization and maintenance of the Nevada State Police, prescribing the powers and duties of the officers and members thereof in maintaining peace, order and quiet in the State of Nevada, fixing their compensation, providing certain penalties, and other matters relating thereto, making an appropriation therefor, and repealing all acts and parts of acts in conflict therewith," approved January 29, 1908, is hereby amended so as to read as follows:

Amending
state police
act

Section 14. The superintendent of police shall receive a salary of thirty-six hundred dollars per annum.

The inspector of police shall receive a salary of twenty-four hundred dollars per annum.

Each sergeant shall receive a salary of eighteen hundred dollars per annum.

Increase

All other members, except the reserve force, shall receive a salary of fifteen hundred dollars per annum.

Increase

All salaries herein provided for shall be paid in equal monthly installments, the same as the salaries of other state officers are paid.

Each member of the reserve force shall receive twenty dollars per month when not engaged in active service, and shall be paid the same as the salaries of other state officers are paid. They shall receive the sum of five dollars per day while engaged in active service. All claims for salaries for services rendered in active service shall be examined and audited by the superintendent of police and the adjutant-general, and shall be examined, audited and allowed by the state board of examiners, and shall be paid as other claims against the state are paid.

Reserve
force salaries

CHAP. 83—*An act fixing and regulating the fees to be charged by county recorders and district mining recorders for recording certificates of labor on mining claims.*

[Approved March 18, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Mining
recording
fees fixed

SECTION 1. From and after the passage and approval of this act the county recorders and district mining recorders of this state shall charge the following fees for recording certificates of proof of labor on mining claims: Fifty cents for recording any such certificates that embrace therein one claim, and an additional fee of twenty-five cents for each and every additional mining claim embraced in said certificate; *provided*, that if any such certificate shall contain more than one hundred words an additional fee of thirty cents shall be charged for each one hundred words or fractional part thereof in excess of said first one hundred words.

Repeal

SEC. 2. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

CHAP. 84—*An act in relation to the publication of certain statutes.*

[Approved March 18, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Certain stat-
utes ex-
cluded from
this volume

Legislators
to receive
copy of
compilation

SECTION 1. All acts passed at the present session of the legislature which do not take effect or come into force until after the year nineteen hundred and eleven shall not be published in the regular session laws of the year nineteen hundred and eleven, but shall be included in the new compilation of the laws of the state to be published this year under the supervision of the code commission; *provided, however*, that each member of the legislature of the twenty-fifth session shall, upon completion of said new compilation, be furnished a copy thereof, free of charge by the secretary of state.

CHAP. 85—*An act requiring a minimum valuation to be placed upon lands in the State of Nevada for purposes of taxation.*

[Approved March 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

All land to be
assessed

SECTION 1. Hereafter no patented land of any description in the State of Nevada owned by any individual, partnership,

association, estate, corporation or otherwise, and no land held under any state land contract, shall be assessed for less than one dollar and twenty-five cents per acre, either by the county assessors of the various counties or by any state board of assessors or similar body. Minimum valuation

SEC. 2. If the county board of equalization shall ascertain that any land within its county has been assessed upon a valuation of less than one dollar and twenty-five cents per acre, or has not been assessed at all, said board shall immediately notify the county assessor to pay into the county treasury the taxes due on such land upon a valuation of at least one dollar and twenty-five cents per acre in such a sum as will yield the full amount of taxes due upon such land upon its true value and which valuation shall not be less than one dollar and twenty-five cents per acre. If such county assessor fail to pay such taxes within ten days after such notification by the county board of equalization, it is hereby made the duty of the district attorney to file and prosecute diligently a suit against such assessor and his surety or sureties on his official bond for the amount of such taxes. County assessor liable for taxes on unassessed land

SEC. 3. If at any time hereafter the state board of assessors should place a valuation upon any lands within the State of Nevada, the provisions of this act shall apply to such valuation so placed, and in the event of the violation of the provisions of this act by said state board of assessors, it is hereby made the duty of the attorney-general to instruct the various district attorneys to file and prosecute diligently suits against the several assessors comprising said board as hereinbefore provided. Valuation of state board to stand when not under minimum

CHAP. 86—*An act to grant the right of way to A. D. Good-enough, H. C. Clapp, Andrew J. Trumbo and T. M. Jones, and their associates, successors, and assigns, for the construction of a railroad within the county of Nye and the county of Esmeralda, State of Nevada, from the Stonewall mountain or thereabouts, county of Nye, on or near the tracks of the Las Vegas and Tonopah and Tonopah and Tidewater railroad companies' line, to and through the towns of Hornsilver and Lida to western boundary line of Esmeralda County, Nevada, with branch lines to mining districts contiguous to said towns within said counties, and matters relating thereto.*

[Approved March 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The right of way, not to exceed two hundred feet in width, to locate, construct, maintain and operate a standard-gage railroad with iron or steel rails, together with necessary sidetracks, switches, turnouts and turntables, over or along such route as may be deemed most feasible and Right of way for railroad in Nye and Esmeralda counties

Proviso

advantageous, from a point at or near the railroad tracks of the Las Vegas and Tonopah and Tonopah and Tidewater railroad companies, in said Nye County, at the Stonewall mountain or thereabouts, to and through the towns of Hornsilver and Lida to western boundary line of Esmeralda County, Nevada, with branch lines to mining districts contiguous to said towns within said counties, is hereby granted to A. D. Goodenough, H. C. Clapp, Andrew J. Trumbo, and T. M. Jones, their associates, successors, and assigns for the term of fifty years; ~~provided~~, that the construction of said railroad shall be commenced within eighteen months from the passage of this act and continued with diligence until said railroad shall be prepared to engage in business as a common carrier between at least two points.

SEC. 2. That the motive power of said railroad may be either steam, gas, electricity, or gasoline.

Grantees named

SEC. 3. That the said A. D. Goodenough, H. C. Clapp, Andrew J. Trumbo, and T. M. Jones, their associates, successors, and assigns, shall have and are hereby given all the rights, privileges, and franchises conferred upon railroad companies incorporated in the State of Nevada under and pursuant to the provisions of "An act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto," approved March 22, 1865, and the acts amendatory thereof or supplemental thereto, as far as the same are consistent with the provisions of this act.

Railroad act to apply

CHAP. 87—*An act empowering the city of Carson to borrow money upon its notes to be executed by the president of its board of trustees, and by the clerk of said board thereunto duly authorized by resolution of its board of trustees, and other matters appertaining thereto.*

[Approved March 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Carson City authorized to borrow money on notes

SECTION 1. The city of Carson, Ormsby County, Nevada, is hereby authorized to borrow not more than seven thousand five hundred dollars, payable on or before six years from date, in sums of not less than five hundred dollars, and to pay interest thereon on unpaid balances only at the rate of five per cent per annum, and as security for the repayment of the same, the said board of trustees of said Carson City, shall first authorize the president of said board, and the clerk of said board of trustees, by resolution entered in its minutes, authorizing and empowering said president and clerk of said board of trustees, to sign, execute and deliver the note or notes of the said city of Carson, in sums of not less than five hundred dollars, and in total amount not exceeding seven thou-

sand five hundred dollars, in accordance with the best judgment of said board of trustees of said Carson City, for the purpose of paying the debts of said Carson City, and accruing indebtedness.

SEC. 2. The board of trustees of said Carson City are hereby authorized and directed to negotiate the sale of said notes for not less than their par value, the proceeds of which shall be placed in the city treasury to the credit of a fund to be known as the "Note Fund," which fund is hereby created for the purposes mentioned in this act. Trustees to negotiate notes

SEC. 3. The notes shall be of the denominations of not less than five hundred dollars each, and aggregate in amount not more than seven thousand five hundred dollars, and shall be redeemable as hereinafter provided. The interest upon said notes shall be payable on or before the tenth day of June of each year. Denomination of notes

SEC. 4. For the purpose of creating a fund for the payment of the notes hereby authorized, the board of trustees of Carson City, Nevada, are hereby authorized and directed, and they shall levy and collect annually until all of the notes and interest, issued under the provisions of this act is fully paid or provided for, a tax upon all the real and personal property, not exempt from taxation, within the corporate limits of Carson City, Nevada, sufficient to pay all of said notes and the interest thereon as the same shall become due, and such tax shall be kept by the city treasurer for such purposes, and placed in said "Note Fund," as a sinking fund, to be used for the payment of said notes, when the same becomes due, and shall not be diverted to any other purpose whatever. Note fund created

SEC. 5. The city treasurer of said Carson City is hereby authorized and directed to pay all interest on said notes as the same shall fall due in accordance with the provisions of this act, and shall redeem the same as the same shall fall due. City treasurer to pay interest

SEC. 6. In case there is any surplus of the proceeds of the above-mentioned tax after the payment of the interest and the redemption of said notes as provided, the same shall be paid into the general fund of the city of Carson. Surplus to revert

CHAP. 88—*An act to authorize and empower the board of county commissioners of Nye County to issue bonds for the purpose of creating a fund for liquidating and paying all outstanding indebtedness of said county, and for paying current expenses of Nye County, State of Nevada.*

[Approved March 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The board of county commissioners of Nye County, State of Nevada, whenever they deem the same to be Bonds for Nye County

Bonds for
Nye County

necessary and expedient, are hereby authorized and empowered to issue negotiable bonds of the said county for an amount not exceeding the sum of fifty thousand (\$50,000) dollars and in denominations of one thousand (\$1,000) dollars each, having not less than ten years and not more than thirty years to run, and bearing interest at the rate of not exceeding six per cent per annum, payable semiannually on the first Mondays in July and January of each year for the purpose of providing funds for paying any outstanding indebtedness of said county, and for paying the current expenses of Nye County, State of Nevada, which said bonds shall be consecutively numbered and shall be substantially in the following form:

Form of
bond

No. The county of Nye, in the State of Nevada, for value received, promises to pay to, or bearer, at the office of the treasurer of said county, in, on or before the first day of, 19..... (thirty years after date, or at any time before that date and after ten years from the date hereof) at the pleasure of the county, the sum of dollars, in United States gold coin, with interest at the rate of per cent per annum, payable at the office of said treasurer semiannually on the first Mondays of July and January of each year, on presentation and surrender of the interest coupons hereto attached. This bond is issued by the county commissioners in conformity to a resolution of said board, dated the day of, 19....., and under authority conferred upon said board by the provisions of an act of the legislature of Nevada, entitled "An act to authorize and empower the board of county commissioners of Nye County to issue bonds for the purpose of creating a fund for liquidating and paying all outstanding indebtedness of said county and for paying current expenses of Nye County, State of Nevada." (Insert date of approval of this act.)

Treasurer
liable for
care of
bonds

SEC. 2. Whenever bonds issued under this act shall be duly executed, numbered consecutively and sealed, they shall be delivered to the county treasurer and his receipts taken therefor, and he shall stand charged on his official bond with all bonds delivered to him and with the proceeds thereof. The county treasurer under the direction of the board of county commissioners may exchange any of said bonds for the satisfaction of any indebtedness existing and outstanding on the date of the issuance of any bond, and said treasurer shall, when directed by the board of county commissioners, sell any portion of said bonds for money at not less than the par value thereof, the proceeds of such sale or sales to be applied exclusively to the payment, satisfaction and discharge of any indebtedness of Nye County and for paying current expenses of said county.

Special tax
for bonds
and interest

SEC. 3. The board of county commissioners shall cause to be assessed and levied each year upon the taxable property of the county, in addition to the levy authorized for other purposes, a special tax to pay the interest on outstanding bonds issued in conformity to the provisions of this act accruing before

the next annual levy and sufficient to pay at least one-twentieth of the bonds then unpaid, in addition to all taxes for other purposes and the moneys arising from such assessments and levies shall be known as the "Expense Bond Fund," and shall be used only for the payment of bonds and interest.

SEC. 4. Whenever after ten years after the date of said bonds the amount in the hands of the county treasurer belonging to the bond fund after setting aside the sum required to pay the interest maturing before the next levy is sufficient to redeem five or more of said bonds, the county treasurer shall notify the county auditor and the presiding officer of the board of county commissioners of such fact, and thereupon the said three officers shall draw by lot from the full list of all the then outstanding bonds issued hereunder, the numbers and amounts of sufficient of said outstanding bonds to absorb the money in the bond fund available for and applicable to payment upon the principal of said bonds, but not exceeding in number one-twentieth of the total number of bonds issued under this act, and thereupon the county treasurer shall give notice, by publication in a newspaper of general circulation in the said county of Nye, addressed to the holders of bonds of Nye County, Nevada, and stating the number of bonds so drawn, and all interest thereon to the date of the next interest payment, stating said date, will be paid in full by the county treasurer at his office in Nye County upon presentation of said bonds and all unpaid coupons pertaining thereto, which notice shall be so printed and published in said newspaper for eight successive publications, the last of which shall not be less than sixty days prior to the date fixed for the payment of such bonds. On and after the date fixed in said notice the interest on said several bonds bearing the numbers so drawn and specified in said advertisement shall cease and the amount of money to pay, satisfy and discharge the same, with interest to said date, shall be set aside from all moneys in the hands of the county treasurer to be held for the payment of said bonds and interest when the same shall be presented.

Redemption
of bonds

If said bonds are not so presented, the interest thereon shall nevertheless cease. Upon presentation of said bonds and all unpaid coupons pertaining thereto the county treasurer shall mark the same paid and canceled and thereupon make a complete record in his office of the transactions and shall also furnish the county auditor and county commissioners with a full and detailed report of the transactions, including a list of the bonds and coupons by him paid and canceled. All redemptions and payments of bonds so drawn for payment shall be made in the order of the said several advertising calls, and out of the funds so set apart by said county treasurer for such person.

Interest
ceases, when

SEC. 5. Bonds to be issued thereunder may be dated on the day of, 19...., and settlements and exchanges of all existing valid evidences of indebtedness may

Date of
bonds

Repeal be made and computed as of said date or upon any semi-annual interest date thereafter occurring.

SEC. 6. All acts and parts of acts in conflict herewith are hereby repealed.

CHAP. 89—*An act making an appropriation to pay Jackson H. Ralston and the estate of John Mullan, deceased, for services rendered and expenses incurred in the prosecution of a suit on behalf of the State of Nevada against the United States government in the United States court of claims for payment of the Nevada civil war claims.*

[Approved March 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Relief of
Ralston and
Mullan

SECTION 1. There is hereby appropriated out of any moneys in the general fund in the state treasury not otherwise appropriated the sum of two thousand five hundred and thirty-six dollars and ninety-six cents (\$2,536.96) to pay Jackson H. Ralston and the personal representative of the estate of John Mullan, deceased, in equal shares, for services rendered and expenses incurred in the prosecution of a suit on behalf of the State of Nevada against the United States government in the United States court of claims for payment of the Nevada civil war claims, said claim amounting to the sum of twelve thousand two hundred and eighty-four dollars and four cents, which has been recovered and paid into the treasury of the State of Nevada as the result of said services and expenses incurred aforesaid.

Duties of con-
troller and
treasurer

SEC. 2. The state controller is hereby directed to draw his warrants in favor of said Jackson H. Ralston for one-half of the sum appropriated herein in section 1, and for one-half of said amount appropriated in favor of the legal or personal representative of said estate of John Mullan, deceased, and the state treasurer is hereby directed to pay the same.

Full payment
of all claims

SEC. 3. The appropriation made in this act in payment of such services and expenses incurred shall, and the same hereby does, constitute full and complete payment for all claims for services and expenses incurred by said Jackson H. Ralston and the said John Mullan to date.

CHAP. 90—*An act to fix the state tax levy, and to distribute the same in the proper funds.*

[Approved March 18, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Ad valorem
state tax of
60 cents

SECTION 1. For the fiscal year commencing January first, nineteen hundred and eleven, and annually thereafter, an ad

valorem tax of sixty cents on each one hundred dollars of taxable property is hereby levied and directed to be collected for state purposes, upon all taxable property in the state, including net proceeds of mines and mining claims, except such property as is by law exempted from taxation:

General fund, thirty-nine and six-tenths cents; state interest and sinking fund, three cents; territorial interest fund, three cents; general school fund, six cents; contingent university fund, five cents; contingent university fund, 1905, No. one, one-tenth of one cent; contingent university fund, 1905, No. two, three-tenths of one cent; state prison interest and sinking fund, three cents.

How apportioned

CHAP. 91—*An act to segregate the offices of sheriff and county assessor of Lyon County, State of Nevada, and fixing the salaries of said officers; to take effect on the first Monday in January, A. D. 1913.*

[Approved March 18, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. From and after the first Monday in January A. D. 1913, the office of sheriff and the office of county assessor, in the county of Lyon, State of Nevada, shall be separate and distinct offices.

Offices of sheriff and assessor of Lyon County segregated

SEC. 2. From and after said date the sheriff of said Lyon County shall receive an annual salary of three thousand dollars payable in twelve equal installments at the end of each calendar month. He shall pay into the treasury of said county each month all moneys collected by him as fees or to which he may be entitled as commissions. Said salary shall be in full compensation for all services and duties performed or to be performed by him as said sheriff. Said sheriff shall have authority to appoint a deputy, who shall act as jailer and janitor, and who shall receive an annual salary of twelve hundred dollars. Said sheriff may, when the public needs of the county require it, and when authorized and directed by the board of county commissioners, appoint one or more, not to exceed four, extra additional deputy sheriffs for said Lyon County, whose appointments shall be for such time as said board of county commissioners shall deem necessary, and whose compensation shall be fixed by said board of county commissioners, but shall not be in excess of one hundred dollars per month for each extra deputy so appointed.

Salary of sheriff

SEC. 3. From and after the first Monday in January, A. D. 1913, the county assessor of Lyon County shall receive an annual salary of eighteen hundred dollars payable in twelve equal installments at the end of each calendar month.

Salary of assessor

SEC. 4. This act shall take effect upon the first Monday in

In effect
January, 1913

January, A. D. 1913, and all acts and parts of acts in conflict herewith are, upon and from said date, hereby repealed.

CHAP. 92—*An act fixing the salaries of the justice of the peace and constable in and for Hot Springs Township, county of Churchill, State of Nevada, and other matters relating thereto.*

[Approved March 18, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Salary of
justice of the
peace of Hot
Springs
Township,
Churchill
County

SECTION 1. From and after the first day of April, 1911, the justice of the peace in and for Hot Springs Township, Churchill County, State of Nevada, shall receive an annual salary of one thousand two hundred dollars, which shall be compensation in full for all services rendered, and he shall pay into the county treasury each month all moneys collected by him as fees.

Salary of
constable

SEC. 2. From and after the first day of April, 1911, the constable in and for Hot Springs Township, Churchill County, State of Nevada, shall receive an annual salary of fifteen hundred dollars, which shall be compensation in full for all services rendered, and he shall pay into the county treasury each month all moneys collected by him as fees.

Salaries pay-
able monthly

SEC. 3. All salaries herein provided for shall be payable monthly, in twelve equal installments. The county auditor shall on the first Monday of each month draw his warrant in favor of each of the officers named herein, for the salary due said officer for the preceding month, and the county treasurer shall pay said warrant.

Repeal

SEC. 4. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

CHAP. 93—*An act requiring the chief clerk of the assembly and secretary of the senate to verify and correct the copies of the assembly and senate journals for the state printer and making appropriation therefor.*

[Approved March 18, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Chief clerk to
verify
assembly
journal

SECTION 1. Immediately upon the conclusion of the twenty-fifth session of the legislature the chief clerk of the assembly shall verify and correct the copy of the assembly journal for such session to correspond with the journal as approved, and when so verified and corrected he shall deposit the same with the secretary of state for delivery to the state printer.

SEC. 2. Immediately upon the conclusion of the twenty-fifth session of the legislature the secretary of the senate shall verify and correct the copy of the senate journal for such session to correspond with the journal as approved, and when so verified and corrected he shall deposit the same with the secretary of state for delivery to the state printer.

Secretary to
verify
senate
journal

SEC. 3. For the services of the chief clerk of the assembly, and the secretary of the senate, as provided in the preceding section, there is hereby appropriated the sum of one hundred dollars out of any money in the treasury not otherwise appropriated and the state controller shall draw his warrant for, and the state treasurer shall pay the same.

Compensa-
tion for such
purposes

CHAP. 94—*An act for the relief of Dr. E. C. Krebs.*

[Approved March 18, 1911]

WHEREAS, John F. Byrne, while in the service of the State of Nevada, suffered a fracture of the right leg; and

Accident to
Assembly-
man Byrne

WHEREAS, Dr. E. C. Krebs rendered medical services and furnished medicines, etc., in the treatment of said fracture to the amount of ninety-two dollars; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of ninety-two dollars is hereby appropriated out of any moneys of the general fund for the payment of Dr. E. C. Krebs, to compensate him for medical services rendered as aforesaid.

Relief of Dr.
E. C. Krebs

SEC. 2. The state controller is hereby directed to draw his warrant in favor of the person above named for the amount specified in this act, and the state treasurer is hereby directed to pay the same.

Duties of con-
troller and
treasurer

CHAP. 95—*An act to authorize the trustees of school district number ten in Washoe County, Nevada, to dispose of certain school property within said district, and to provide for the use of the proceeds of the sale or disposition of the same for school purposes, and other matters properly connected therewith.*

[Approved March 18, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The board of trustees of School District No. 10, in Washoe County, Nevada, are hereby authorized and empowered to sell at public auction for cash to the highest bidder (after ten days' notice by publication of such sale) certain real estate situated on the southwest corner of Ralston and Second

School trustees of Reno authorized to dispose of certain school property

streets, and the Riverside school property on the northwest corner of First and Sierra streets, or either such properties, all in Reno, Washoe County, Nevada, that may, at the time of the approval of this act, be the property of said district. The proceeds of such sale or sales may be used as said board of trustees may deem advisable for the best interests of the district.

Authorized
to dispose of
certain
school
building

SEC. 2. The said board of trustees are also authorized and empowered to tear down and sell or otherwise dispose of the building known as the Central school building on the site on West Fifth and Chestnut streets, in the city of Reno, Washoe County, Nevada, in order that a new high school building may be erected on said site.

In effect

SEC. 3. This act shall take effect immediately.

CHAP. 96—*An act for the relief of A. W. Clark.*

[Approved March 18, 1911]

Preamble

WHEREAS, It has been necessary for the comfort of the members of the senate and assembly during the twenty-third, extra session, twenty-fourth and twenty-fifth sessions of the Nevada legislature to provide heat for the senate and assembly chambers from 4 to 10 o'clock p. m. of each day of said sessions; and

WHEREAS, A. W. Clark, the engineer in charge, has been obliged to work from four to six additional hours each day in order to supply such heat, for which he has received no remuneration; therefore

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Relief for
A. W. Clark

SECTION 1. The sum of one hundred and sixty-two (\$162) is hereby appropriated out of any moneys in the legislative fund of the state treasury not otherwise appropriated, to be paid A. W. Clark for extra services rendered as engineer at the capitol building during the twenty-third, extra session, twenty-fourth and twenty-fifth sessions of the Nevada legislature.

Duties of con-
troller and
treasurer

SEC. 2. The state controller is hereby directed to draw his warrant in favor of the said A. W. Clark for the said sum of one hundred and sixty-two dollars (\$162), and the state treasurer is hereby directed to pay the same.

CHAP. 97—*An act fixing and regulating the salaries of certain county officers of Ormsby County, Nevada.*

[Approved March 18, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. On and after January 1, 1913, the district attorney of Ormsby County shall receive the salary of twelve hun-

dred dollars per year; the county commissioners of Ormsby County shall each receive three hundred dollars per year; the deputy sheriff shall receive no salary from the county. Salaries in Ormsby County; taking effect in 1913

Sec. 2. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

CHAP. 98—*An act fixing and regulating the salaries of certain officers of White Pine County, Nevada.*

[Approved March 18, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. From and after the passage of this act the assessor of White Pine County, State of Nevada, shall receive the salary of one thousand eight hundred dollars per year, payable in monthly installments of one hundred and fifty dollars per month. White Pine County salaries

Sec. 2. In addition to the amounts mentioned in section one of this act the said assessor shall be allowed his actual traveling expenses when engaged in the discharge of the official duties of the said office of county assessor of said White Pine County. County assessor

Sec. 3. All acts and parts of acts in conflict with the provisions of this act are hereby repealed. Repeal

CHAP. 99—*An act to validate the incorporation of the city of Fallon, in the County of Churchill, State of Nevada, and other matters relating thereto.*

[Approved March 18, 1911]

WHEREAS, During the session of the legislature of 1907, an act entitled "An act to incorporate the town of Fallon and to establish a government therefor," approved March 27, 1907, was passed, and Preamble

WHEREAS, The election, provided for in said act was duly held May 7, 1907, for the election of the officers provided for therein and the adoption of the charter for said town of Fallon, was not legally held, nor the returns of said election canvassed by the board of county commissioners of Churchill County, nor entered upon the minutes of said board, nor a certificate or certificates of election issued to any of the officers provided for in said act, and

WHEREAS, The proposed charter for the said town of Fallon was rejected by a majority of the voters at said election as evidenced by the said officers of said election, and

WHEREAS, The said town of Fallon was never incorporated as in said act provided, and

WHEREAS, The legislature at its present session passed an act entitled "An act to repeal an act entitled 'An act to incorporate the town of Fallon and to establish a government therefor,' approved February 27, 1911;" and

Incorporation of
Fallon

WHEREAS, After the said 7th day of May, 1907, and on the 30th day of September, 1907, a majority of the qualified electors who were taxpayers within the corporate limits of the said town did petition the second judicial district court of the State of Nevada, in and for the county of Churchill, to be incorporated under the provisions of an act entitled "An act providing for the incorporation of cities, their classification, the establishment and alteration of their boundaries, the government and disincorporation thereof, and repealing all acts or parts of acts in conflict therewith," approved March 27, 1907, and

WHEREAS, After due and legal proceedings had in the said second judicial district court, in the matter of the incorporation of the city of Fallon, Nevada, wherein the Honorable John S. Orr, one of the judges of said court, did, on the 7th day of November, 1908, duly make and enter his order incorporating the city of Fallon in the county of Churchill, State of Nevada, and

WHEREAS, At an election duly and legally had whereat the officers provided for under and by virtue of said act were elected, and thereafter duly entered upon the discharge of their duties on the 18th day of December, 1908, and

WHEREAS, Some question has arisen as to the validity of the incorporation of the said the city of Fallon, owing to the provisions of the act incorporating the town of Fallon; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Judicial
decrees
validated

SECTION 1. That each and every of the proceedings, motions, orders, decrees, and judgment of the second judicial district court of the State of Nevada, in and for the county of Churchill, creating the city of Fallon in the county of Churchill, State of Nevada, be, and they hereby are, validated, adopted and enacted into law.

Same

SEC. 2. That each and every of the acts, ordinances, bond issues and obligations of said city of Fallon are hereby approved, adopted, and validated, and held to be in full force and effect to the same extent as if the act incorporating the town of Fallon had never been enacted.

State's faith
pledged

SEC. 3. The faith of the State of Nevada is hereby pledged that this act shall not be repealed.

Repeal

SEC. 4. All acts or parts of acts in conflict with this act are hereby repealed.

In effect

SEC. 5. This act shall take effect from and after its passage and approval.

CHAP. 100—*An act to amend section two of article one of an act entitled "An act to incorporate the town of Reno, and to establish a city government therefor," approved March 16, 1903, amended March 13, 1905, and further amended March 24, 1909, and further amended March 31, 1909.*

[Approved March 18, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section two of article one of the said above-entitled act is hereby amended so as to read as follows:

Section 2. The city of Reno shall be divided into six wards as follows: All that portion of the territory embraced within said limits of the city and lying south of the Truckee river and west of the center line of Virginia street shall be and is hereby established as the first ward. All that portion lying west of the center line of Sierra street and between the Truckee river on the south and the main track of the Central Pacific Railway on the north, shall be and is hereby established as the second ward; *provided*, that the island in the Truckee river above the Virginia-street bridge shall be a part of and belong to said second ward. All that portion lying east of the center line of Sierra street and between the Truckee river on the south and the main track of the Central Pacific Railway on the north shall be and is hereby established as the third ward. All that portion lying east of the center line of Sierra street and north of the main track of the Central Pacific Railway, shall be and is hereby established as the fourth ward. All that portion lying west of the center line of Sierra street and north of the main track of the Central Pacific Railway shall be and is hereby established as the fifth ward, and all that portion lying south of the Truckee river and east of the center line of Virginia street, including all that part of Scott island lying within the limits of said city, shall be and is hereby established as the sixth ward.

Sec. 2. This act shall take effect from and after its passage.

CHAP. 101—*An act to authorize the board of county commissioners of the county of Washoe, State of Nevada, to issue bonds to provide for the construction of, and to construct, a bridge across the Truckee river at the point of intersection of the east and west center line of section 7, township 19 north, range 20 east, M. D. B. & M., and the said Truckee river, and directing the payment of said bonds.*

[Approved March 15, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. For the purpose of constructing a new bridge across the Truckee river with proper approaches for the pass-

Bridge bonds
for Washoe
County

ing of pedestrians and vehicles, at the point of intersection of the east and west center line of section 7, township 19 north, range 20 east, M. D. B. & M., and the said Truckee river, in the county of Washoe, State of Nevada, the board of county commissioners of said county is hereby authorized, empowered and directed within sixty days, after the owner or owners of the lands necessary to connect the road crossing said bridge with the public or county roads with which the road across said bridge is to connect have conveyed by good and sufficient deed or deeds the lands necessary as aforesaid, which deeds shall be executed, approved by the board of county commissioners of said county, and recorded with the recorder of said county, free of charge to said county, to issue bonds in the name of said county, not to exceed in amount the sum of twenty thousand dollars, said bonds to be known as the "Truckee River Bridge Bonds for the construction of bridge across said river at the point of intersection of the east and west center line of Sec. 7, T. 19 N., R. 20 E., M. D. B. & M., and the said river."

Bonds, how
prepared

SEC. 2. Said board shall cause said bonds, or as many thereof as may be deemed necessary to be prepared, and they shall be signed by its members and its clerk, and authenticated with the official seal of said county. Coupons representing the several installments of interest to fall due thereon shall be attached to each bond so they may be removed without injury to the bonds, numbered consecutively and signed by the county treasurer.

Negotiation
of bonds

SEC. 3. The said board is hereby authorized to negotiate the sale of said bonds at not less than their face or par value, the proceeds of which shall be placed, with the county treasurer, in what shall be known as the "Fund of the Truckee River Bridge Bonds for the construction of a bridge across said river at the point of intersection of the east and west center line of Sec. 7, T. 19 N., R. 20 E., M. D. B. & M., and the said river," and which said fund shall be used only for the purpose of carrying out the provisions of this act. Payments from said fund shall be made only on warrants drawn by the county auditor of said county, in payment of the obligations contracted under the provisions of this act.

Denomina-
tion of bonds

SEC. 4. The said bonds shall be of the denomination of one thousand dollars each; they shall be numbered consecutively, and they shall bear interest at the rate of not to exceed five per cent per annum, payable on the second Monday of January of the second succeeding year in which said bonds or any of them shall have been issued, and every twelve months thereafter, and on the second Monday of January, A. D. 1916, and every twelve months thereafter, one or more of said bonds shall be redeemed and paid, until all of said bonds so issued shall have been fully taken up and satisfied. Said bonds shall be redeemed and paid as aforesaid in the order of their issuance, the lowest numbered bond to be first paid and

redeemed, and so on until the whole amount of said bonds shall have been paid and redeemed, as in this act provided.

SEC. 5. For the purpose of creating a fund for the payment of the bonds authorized by this act and the interest thereon, the board of county commissioners of Washoe County is hereby authorized and required to levy and collect annually a sufficient tax on all property, both real and personal, subject to taxation, within the boundaries of Washoe County, to redeem one of said bonds each year at the date hereinabove provided for, and to pay the accumulated interest upon all of said bonds outstanding at the date hereinabove provided for. Such tax shall be levied and collected in the same manner and at the same time as other taxes are assessed, levied and collected, and the proceeds thereof shall be kept by the county treasurer of said county in the fund hereinabove created, and known and designated as aforesaid. At the maturity of the said bonds, and each of them, and the coupons thereon, and each of them, they, and each of them, shall be paid by the said county treasurer out of the said fund, and shall thereupon be canceled and marked "paid" by the county treasurer; *provided, however*, that no interest shall be allowed or paid on any of the said bonds after they have become due and payable, and shall have been called in for redemption.

Fund for
payment of
bonds

SEC. 6. The bridge to be constructed under the provisions of this act shall be placed at, or as near as practicable across the Truckee river at the point of intersection of the east and west center line of Sec. 7, T. 19 N., R. 20 E., M. D. B. & M., and the said bridge shall be of uniform width of thirty feet, affording proper space thereon for the passage of pedestrians, vehicles and stock.

Location of
bridge

SEC. 7. Said board of county commissioners shall, within sixty days from the approval of this act, determine as to the character of the said bridge, materials to be used therefor, whether of iron, steel or concrete, or a combination thereof, and the plans therefor, and when such determination is made, said board shall, for the time, in the manner and as required by law, advertise for bids for the construction of the said bridge, and let the construction thereof by contract to the lowest and most responsible bidder. All laws in force governing the letting of contracts by boards of county commissioners are hereby made applicable to, and the same shall govern the action of the said board in carrying out the provisions of this act, and all demands and bills contracted by the said board in carrying out the provisions of this act shall be filed with the county clerk, acted upon, allowed and paid by direction of the said board, as is now required for other demands and bills by law.

Commission-
ers to deter-
mine
character of
bridge

CHAP. 102—*An act to regulate the salaries of certain county officials of Clark County.*

[Approved March 17, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Salaries in Clark County	SECTION 1. From and after September 1, 1911, the sheriff of Clark County shall receive a salary of (\$1800) hundred dollars per annum, payable in twelve equal installments of one
Sheriff	hundred and fifty dollars each month and such commissions as are now allowed by law, not to exceed in the aggregate the total compensation of three thousand dollars per annum, including actual traveling expenses necessarily incurred in civil and criminal cases when it becomes necessary to travel a greater distance than ten miles from the county-seat. He shall appoint a deputy sheriff who shall also act as jailer, at a compensation not to exceed one hundred dollars per month. The sheriff may, subject to the approval of the board of county commissioners, appoint necessary deputy sheriffs at a compensation not exceeding one hundred dollars each, per month, each of said so appointed deputy sheriffs to give such bond as may be required by the sheriff, or by the board of county commissioners. The
Deputies	county recorder and auditor shall receive a compensation of eighteen hundred dollars per annum and the board of county commissioners may allow him such thoroughly competent deputies at a salary not to exceed one hundred dollars per month, as in their judgment the volume of the work in his office may require. All fees paid into the recorder and auditor's office shall belong to the county. The county clerk and ex officio clerk of the district court and the board of county commissioners shall receive a salary of one hundred and twenty-five (\$125) dollars per month. The county assessor shall receive a salary of one hundred and twenty-five (\$125) dollars per month, and ten cents per mile actually traveled while in the performance of his duties. The district attorney shall receive a salary of one hundred dollars per month and all necessary traveling expenses while in the performance of his duties. The county treasurer shall receive a salary of eighteen hundred dollars per annum.
Recorder	
Clerk	
Assessor	
District attorney	
Treasurer	

SEC. 2.	The board of county commissioners of Clark County, Nevada, shall allow the salaries named in section one of the act as other salaries are allowed, the auditor shall draw his warrant for the same, and the county treasurer shall pay the same.
Commissioners to allow salaries	

SEC. 3.	All acts and parts of acts in conflict with the provisions of this act are hereby repealed.
Repeal	

CHAP. 103—*An act reapportioning senators and assemblymen of the several counties to the legislature of the State of Nevada.*

[Approved March 17, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The apportionment of senators and assemblymen in the several counties of this state shall be as follows:

Churchill County, one senator and two assemblymen;
 Clark County, one senator and two assemblymen;
 Douglas County, one senator and two assemblymen;
 Elko County, two senators and five assemblymen;
 Esmeralda County, two senators and five assemblymen;
 Eureka County, one senator and two assemblymen;
 Humboldt County, two senators and five assemblymen;
 Lander County, one senator and two assemblymen;
 Lincoln County, one senator and two assemblymen;
 Lyon County, one senator and two assemblymen;
 Mineral County, one senator and two assemblymen;
 Nye County, two senators and five assemblymen;
 Ormsby County, one senator and two assemblymen;
 Storey County, one senator and two assemblymen;
 Washoe County, two senators and nine assemblymen;
 White Pine County, two senators and four assemblymen.

Apportionment of senators and assemblymen

SEC. 2. Nothing in this act shall be so construed as to affect the term of office of senators and assemblymen now in office.

Present terms not disturbed

SEC. 3. All acts and parts of acts in conflict with this act are hereby repealed.

Repeal

CHAP. 104—*An act to amend an act entitled "An act to authorize the state librarian to appoint an assistant librarian, fixing the compensation for such assistant librarian, and repealing all acts in conflict therewith," approved March 23, 1909.*

[Approved March 16, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of an act entitled "An act to authorize the state librarian to appoint an assistant librarian, fixing the compensation for such assistant librarian, and repealing all acts in conflict therewith," approved March 23, 1909, is hereby amended to read as follows:

Raising salary of assistant state librarian

Section 1. The state librarian is hereby authorized to appoint an assistant librarian who shall perform the duties of a librarian at the state library, and who shall be allowed as a compensation therefor the sum of eighteen hundred dollars per annum.

CHAP. 105—*An act to amend section six of an act to amend an act entitled "An act fixing the salaries and compensation of the officers of Humboldt County, and consolidating certain offices in said county, and repeal all other acts in relation thereto," approved March 9, 1891, approved March 6, 1899, approved March 20, 1903, approved March 13, 1905.*

[Approved March 18, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section six of said act is hereby amended to read as follows:

Salaries in
Humboldt
County:
paid monthly

Section 6. All salaries herein provided for and not otherwise payable, shall be payable monthly, in twelve equal installments. The county auditor shall on the first day of each month draw his warrant on the salary fund in favor of each of the officers named herein, for the salary due said officer for the last preceding month, and the county treasurer shall pay said warrant out of said fund.

CHAP. 106—*An act to authorize the board of county commissioners of the county of Humboldt, State of Nevada, to issue bonds to provide for the purchase of a site for a county high school building in the town of Winnemucca, Nevada, and the construction and equipment and furnishing of a county high school building in the said town; and authorizing the county board of education of said county to purchase said site and to construct and equip and furnish said building.*

[Approved March 18, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Bonds for
high school
in Winne-
mucca

SECTION 1. The board of county commissioners of Humboldt County is hereby authorized, empowered and directed to prepare and issue bonds of said county, for an amount not to exceed the sum of twenty thousand dollars, exclusive of interest, for the purpose of providing funds for the purchase of a site for a county high school building in the town of Winnemucca, and for constructing a high school building on the said site, and for equipping and furnishing the said building.

Preparation
of bonds

SEC. 2. The board of county commissioners of said Humboldt County shall cause said bonds to be prepared and made ready for issuance. Such bonds shall be signed by the chairman of the board, countersigned by the the county treasurer, and authenticated with the seal of the county. Coupons for interest shall be attached to each bond, so that the same may be

removed without injury to the bonds, and each of said coupons shall be consecutively numbered, and signed by the chairman of said board and the county treasurer.

SEC. 3. The clerk of the board of county commissioners shall keep a record of all proceedings under the provisions of this act showing the numbers and date of each bond and to whom issued. Record to be kept

SEC. 4. The board of county commissioners of Humboldt County is hereby authorized to negotiate the sale of said bonds or such number thereof as they may deem necessary, by advertising for sealed proposals or by private sales, as they may deem for the best interests of the county, and may reject any and all bids; *provided*, that no bonds shall be sold for less than par value; *and provided further*, that all bonds shall be made for gold coin of the United States, and the interest thereon shall be payable in like gold coin. Negotiation of bonds

SEC. 5. Said bonds shall be each for the sum of five hundred dollars. They shall be numbered from one to forty, consecutively, and the interest on the same shall not exceed six per cent per annum, payable annually on the first Monday in July of each year, at the office of the county treasurer of said Humboldt County, and in no case shall any of said bonds run for a longer period than fifteen years. Denomination of bonds

SEC. 6. All moneys derived from the sale of said bonds shall be paid to the county treasurer of said county, and the said treasurer is hereby required to receive and safely keep the same in a fund hereby created and known as the "Humboldt County High School Building Fund," and to pay out said moneys only in the manner now provided by law for the payment of the "County High School Fund" and for the purposes for which the same were received. Treasurer custodian of fund

SEC. 7. The county board of education of Humboldt County is hereby authorized and directed to use said moneys arising from the sale of said bonds, or such number thereof as they may deem necessary, for the purchasing of a site and for the establishing, constructing, equipping, and furnishing a county high school building in the town of Winnemucca, Nevada, and any balance remaining in said fund, after the completion, equipment and furnishing of said building, shall be turned over and converted into the proper fund provided for running and maintaining of said high school in accordance with and pursuant to the provisions of law pertaining to the establishment, maintenance and management of high schools in the various counties of this state. Site to be purchased

SEC. 8. Said county board of education shall determine as to the character of said building, the materials to be used therefor and the plans therefor and when such determination is made said board shall advertise for bids for the construction of said county high school building, and let the construction thereof by contract to the lowest and most responsible bidder. The laws in force governing the letting of contracts by boards County board of education to determine character of building

State super-
intendent to
approve

of county commissioners are hereby made applicable to, and the same shall govern, the action of the county board of education in carrying out the provisions of this act. All demands and bills contracted by the said county board of education in carrying out the provisions of this act shall be paid in the manner now provided by law for paying claims against the "County High School Fund"; *provided*, that no such bills shall be allowed until the plans for the said high school building shall have been approved by the state superintendent of public instruction.

Duties of
county board
of education

SEC. 9. As soon as possible after the passage and approval of this act, the county board of education shall proceed to select an appropriate site for the said county high school building in the town of Winnemucca, county of Humboldt, State of Nevada, and the county board of education of said county shall thereafter with all expedient dispatch proceed to the execution of the provisions and purposes of this act.

Treasurer
liable for
moneys

SEC. 10. The county treasurer of the said Humboldt County shall be liable of his official bond for the safe keeping of the moneys which shall come into his hands under the provisions of this act, and for the faithful discharge of all his duties in relation thereto.

Redemption
and interest
fund, how
created

SEC. 11. For the purpose of creating a fund for the payment of the bonds authorized by this act, and the interest thereon, the board of county commissioners of the said Humboldt County is hereby authorized and required to levy and collect annually a special tax on the assessed value of all property both real and personal, subject to taxation, including proceeds of mines, within the boundaries of said Humboldt County, until such bonds and the interest thereon shall have been fully paid, sufficient to pay the interest on said bonds and to pay and retire, beginning with bond number one, and consecutively thereafter, two of said bonds annually beginning with the first Monday in July, 1912, until sixteen of said bonds have been redeemed, and retired, and thereafter to levy and collect a like special tax in an amount sufficient to pay the interest and to pay and retire, consecutively, four of said bonds, annually until all of said bonds are fully redeemed and retired. Such tax shall be levied and collected in the same manner and at the same time as other taxes are assessed and collected, and the proceeds thereof shall be kept by the county treasurer in a special fund to be known as the "Humboldt County High School Bond Redemption Fund."

Special tax

Interest paid
and bonds
redeemed

SEC. 12. It shall be obligatory on the said county and its proper officers annually, beginning on the first Monday in July, 1912, to fully pay the accrued interest on said bonds, beginning with the first number thereof, until sixteen of said bonds are redeemed and retired, and to fully pay and retire four of them annually thereafter in their consecutive numbers, until all of said bonds are redeemed and retired.

SEC. 13. Whenever the bonds and interest provided for

in this act shall have been fully paid, the tax authorized by this act shall cease, and all moneys remaining in said bond fund shall, by order of the board of county commissioners of said county, be transferred to the fund used for paying the contingent expenses of the said county high school. Special tax
to cease.
when

SEC. 14. Whenever the county treasurer shall redeem any of the bonds issued under the provisions of this act, he shall cancel the same by writing across the face thereof "paid," together with the date of such payment, sign his name thereto, and turn the same over to the county auditor, taking his receipt therefor, which receipt shall be filed with the clerk of the board of county commissioners and the auditor shall credit the treasurer on his books for the amount so paid. Treasurer to
cancel paid
bonds

SEC. 15. Should the holder of said bonds or any of them, for any cause whatever, fail to present said bonds to the said county treasurer for payment, when they become due, all interest on such bonds shall thereafter immediately cease. Interest
ceases, when

SEC. 16. The faith of the State of Nevada is hereby pledged that this act shall not be repealed, nor the taxation thereby imposed be omitted, until all the bonds and coupons issued under and by virtue hereof shall have been paid in full, as in this act specified. Faith
of State of
Nevada
pledged

CHAP. 107—*An act authorizing and empowering the board of county commissioners of Elko County, Nevada, to acquire the Jarbidge toll-road, now under construction, and to complete the same.*

[Approved March 18, 1911]

WHEREAS, John Henderson, A. W. Hesson and J. A. McBride, acting for themselves and for others, have commenced the construction of and are constructing a toll-road, known as the Jarbidge toll-road from Charleston in Elko County, Nevada, to the mining camp known as Jarbidge in said county, and have already expended in the construction of said road the sum of several thousand dollars; and Preamble

WHEREAS, It is to the best interests of Elko County, Nevada, and the people thereof, that said road be not operated as a toll-road but as a county road, and that said road be acquired by the said county of Elko at this time and its construction be completed by said county; now, therefore, Purchase of
Jarbidge
toll-road

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The board of county commissioners of Elko County are hereby authorized and empowered to acquire by purchase all of the rights, titles and interests of John Henderson, A. W. Hesson and J. A. McBride, and all other persons interested in the Jarbidge toll-road running from Charleston in Elko County, Nevada, to Jarbidge, in said County
commission-
ers empow-
ered to
purchase
toll-road

- Proviso county; *provided, however*, the said board of county commissioners shall not pay for said interests a sum greater than has actually been expended by said parties in the construction of said road, said expenditures to be duly proved to said board of county commissioners as other claims against said county are proved; said claims then to be paid as other claims against said county are paid.
- Road to be completed SEC. 2. Said board of county commissioners are further authorized and empowered to continue the construction of said road and to complete the same as soon as possible.
- To be public SEC. 3. Said road when completed shall be used as and shall be a public county road.
- Repeal SEC. 4. All acts and parts of acts in so far as they are in conflict with the provisions of this act are hereby repealed.

CHAP. 108—*An act to amend an act entitled "An act to authorize the board of school trustees of East Ely school district to issue negotiable coupon bonds for the purpose of purchasing or erecting and furnishing school buildings, and purchasing grounds therefor, and to pay the floating indebtedness of such district, and providing for the payment of the principal and interest of such bonded indebtedness," approved February 9, 1909.*

[Approved March 18, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

School boards for East Ely SECTION 1. Section four of chapter fourteen of the laws of nineteen hundred and nine, entitled "An act to authorize the board of school trustees of East Ely school district to issue negotiable coupon bonds for the purpose of purchasing or erecting and furnishing school buildings and purchasing ground therefor and to pay the floating indebtedness of such district, and providing for the payment of the principal and interest of such bonded indebtedness," approved February 9, 1909, is hereby amended so as to read as follows:

Special tax for interest SECTION 4. Whenever said board of trustees of the East Ely school district shall issue any bonds under the provisions of this act it shall be the duty of the board of commissioners of said White Pine County to levy and assess a special tax on all the taxable property of such district in an amount sufficient to pay interest thereon when the payment shall become due and payable according to the tenor and effect of said bonds and of the interest coupons thereto attached and the county treasurer shall collect the same as other taxes are collected, in cash only, keeping the same separate from other funds received by him; and, if there shall be any surplus after paying said interest, the treasurer shall without delay credit such surplus

to the funds of such school district and such funds shall be subject thereupon to the disposal of said board of school trustees; and, beginning with the year said bonds are issued and annually thereafter until the full payment of said bonds have been made, the board of county commissioners of said county of White Pine shall levy and assess a special tax and shall cause said special tax to be collected on all taxable property of the school district sufficient to pay annually a portion of the principal of said bonds equal to a sum produced by taking the whole amount of said bonds outstanding and dividing it by the number of years said bonds then have to run, which amount shall be levied, assessed, and collected in the same manner as the tax for the payment of the interest thereon and as other taxes are levied and collected, and when collected shall be known as the "East Ely School District Sinking Fund;" and shall be used only in the payment of such bonds. The sinking fund thus provided shall be applied to the purchase and cancelation of the outstanding bonds of such school district. At the maturity of such bonds, the county treasurer shall call in and pay such bonds and the accrued interest thereon, and duly cancel the same and certify his action to the board of trustees of such school district; *provided, however,* that the county treasurer shall hereafter on the first Monday in February and August, respectively, of each year, cause a notice to be published once a week for two successive weeks, in some newspaper published in said county, stating the amount of money to the credit of said "East Ely School District Sinking Fund" and calling for the presentation for payment of bonds of said school district to an amount equal to the sum of money in the said fund which shall be used for the payment and cancelation of such bonds as may be presented for payment. The county treasurer shall pay such bonds and the accrued interest thereon in the order of their issuance, commencing with bond number one, and shall continue such payments so far as the money in said fund permits and he shall cancel such bonds so paid and immediately thereafter notify the board of county commissioners of the payment of such bonds, giving the number and amount thereof, together with the number and amount of said bonds that may be outstanding; but nothing herein contained shall be held to require the holders or owners of any of said bonds to present the same for payment and cancelation until the maturity thereof.

Special tax
for payment
of principal:
method of
ascertaining
amount

Proviso

Order in
which bonds
are paid

CHAP. 109—*An act to consolidate certain county offices in and for Lincoln County, State of Nevada, and fixing the salaries of certain officers of said county, to take effect on the first Monday in January, 1913, and repealing all other acts in conflict herewith.*

[Approved March 18, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Clerk and
treasurer
consolidated
in Lincoln
County

SECTION 1. On and after the first Monday in January, 1913, the offices of clerk and treasurer of Lincoln County shall be consolidated, and the treasurer shall be ex officio clerk of said county.

Sheriff and
assessor

SEC. 2. On and after the first Monday in January, 1913, the offices of sheriff and assessor of Lincoln County shall be consolidated, and the sheriff shall be ex officio assessor of said county.

Salaries for
consolidated
offices

SEC. 3. On and after the first Monday in January, 1913, certain officers of Lincoln County, Nevada, shall receive compensation as follows: The sheriff, as such officer and as ex officio assessor and license collector, shall receive an annual salary of three thousand dollars and his necessary traveling expenses, which shall be payment in full for all services performed by him; the treasurer, as such officer and as ex officio clerk, ex officio clerk of the district court, and ex officio clerk of commissioners and the board of equalization, shall receive an annual salary of twenty-five hundred dollars, which shall be payment in full for all services performed by him.

Salaries paid
monthly

SEC. 4. The salaries of all the officers of Lincoln County shall be allowed, audited and paid monthly.

Deputy
sheriffs;
salary

SEC. 5. The sheriff of Lincoln County is hereby authorized and empowered to appoint a deputy or deputies, with the approval of the board of county commissioners, whose salaries shall not exceed one hundred dollars per month each, to be allowed and paid in the same manner and from the same funds as the salaries of other officers are paid.

Taken effect
in 1913

SEC. 6. All acts and parts of acts providing for the offices and salaries of the officers of Lincoln County and in force at the approval hereof are hereby continued in force up to and until the first Monday in January, 1913, on which day and date all acts and parts of acts in conflict with the provisions of this act shall stand repealed.

CHAP. 110—*An act to authorize the board of county commissioners of Lincoln County, Nevada, to empower the board of fire commissioners of the town of Caliente, in said county, to issue bonds for the purpose of paying off the outstanding indebtedness of said town incurred on account of installing a system of water supply for said town, and to complete and perfect the same.*

[Approved March 18, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. For the purpose of providing funds to pay the outstanding indebtedness of the town of Caliente incurred in providing said town with an adequate supply of water for fire protection and domestic purposes, and to complete and perfect the same the board of county commissioners of the county of Lincoln are hereby authorized and required to empower the board of fire commissioners of said town to issue bonds in the name of said town, in a sum not exceeding thirty-five hundred dollars, gold coin of the United States, and to pledge the good faith and credit of the said town for the payment of the principal and interest of the same. Such bonds shall be known as "Caliente Water Supply Bonds." Said bonds shall be of denominations not less than one hundred dollars each, and shall each purport and state upon the face thereof that the town of Caliente, in Lincoln County, State of Nevada, is indebted to the holder, in gold coin of the United States, in the sum therein stated, with interest at a rate not exceeding seven per cent per annum, from and after date of issuance, interest payable annually on the 10th day of May, 1912, and each year thereafter, said interest to be paid at the office of the county treasurer of said county. None of said bonds shall run for a longer period than seven years.

Bonds for
paying
indebtedness
of Caliente

SEC. 2. When the bonds herein provided for are so prepared and ready for issuance, the said board of fire commissioners shall cause the same to be sold at a price not less than their par value, and the proceeds arising from the sale thereof shall be paid into the treasury of Lincoln County. The county treasurer is hereby required to receive and safely keep the same in a fund to be known as the "Caliente Water Supply Fund," and to be paid only for the purposes herein stated, on claims therefor, duly verified, shall be allowed and ordered paid by the said board of fire commissioners, certified to, and further allowed and ordered paid by the board of county commissioners of said county, and duly audited by the county auditor and upon his warrants drawn therefor on said fund, and paid by the treasurer of said county.

To be sold at
not less than
par value

SEC. 3. Said board of fire commissioners shall keep a register of all bonds issued under the provisions of this act, and shall note therein the number, date, amount and maturity

Register of
bonds to be
kept

of each. The auditor and treasurer of said county shall each keep a similar register. All of said bonds shall be signed by the chairman and clerk of said board of fire commissioners and countersigned by the treasurer and auditor of said county, with the seal of said auditor impressed thereon; and shall have attached thereto coupons for the payment of each installment of interest, which shall be numbered and shall respectively express the amount of interest due and payable, and shall be signed and stated in the same manner and by the same officers as herein provided for the signing and sealing of said bonds.

One-half of
said bonds to
be paid in
1915

SEC. 4. One-half of the principal of such bonds which may be issued under the authority of this act, shall be due and payable on the tenth day of May, nineteen hundred and fifteen, and the other half shall be due and payable on the tenth day of May, nineteen hundred and eighteen, and the whole thereof shall be paid at the office of the county treasurer of said county.

Special tax
for interest

SEC. 5. For the purpose of providing for the payment of the annual interest upon the bonds issued under this act, there shall be levied upon and collected from all the property of said town, including the net proceeds of mines, for the year nineteen hundred and eleven, and each year thereafter, until and including the year nineteen hundred and seventeen, such special tax as in the judgment of the board of county commissioners of said county as will produce a sufficient amount of money necessary to pay the interest on said bonds, as herein provided; and the money collected and received from such tax shall be paid into the county treasury, and kept by the treasurer in a fund to be known as the "Caliente Water Supply Fund," and the moneys in said fund, or so much thereof as may be necessary, shall be disbursed by said treasurer in payment of the interest upon said bonds as the same becomes due upon presentation and surrender by holder of the bonds and coupons therefor; the surplus, if there be any, shall annually be placed in a fund for the redemption and payment of the principal of said bonds when due which shall be known as the "Caliente Water Supply Bond Fund."

Coupons
canceled by
county
treasurer

SEC. 6. When interest shall be paid upon said bonds, the coupon or coupons representing the same, as hereinbefore provided, shall be separated from the bond or bonds, delivered to be canceled by the county treasurer, who shall hereby return the same and make a note thereof on the register of bonds kept by him in his office.

Additional
special tax
for payment
of bonds

SEC. 7. To provide for the payment of one-half of the principal of said bonds to become due on the tenth day of May, nineteen hundred and fifteen, a special tax, in addition to said special tax to pay interest on said bonds, for the year nineteen hundred and eleven and each year thereafter to and including the year nineteen hundred and fourteen, there shall be levied upon and collected from all the property in said

town, including the net proceeds of mines, a special tax Special tax sufficient to produce the amount of money necessary to pay the said one-half of the principal of said bonds to become due on the tenth day of May, nineteen hundred and fifteen. The money collected and received from such tax shall be paid into the county treasury, and placed in said "Caliente Water Supply Bond Fund," and shall be applied to the payment of said one-half of the principal of said bonds to become due on the tenth day of May, nineteen hundred and fifteen, and said bonds shall be paid when due upon surrender, by the holders thereof, to the county treasurer, who shall cancel the same by writing across the face thereof the word "paid," and the date of payment, together with his signature.

SEC. 8. For the year nineteen hundred and fifteen and each year thereafter to and including the year nineteen hundred and seventeen, there shall be levied and collected from all of the property in said town, including the net proceeds of mines therein (in addition to the special tax to pay the interest on said bonds), a special tax sufficient to produce an amount of money necessary to pay the remaining one-half of the principal of said bonds to become due on the tenth day of May, nineteen hundred and eighteen, and the money arising therefrom shall be paid into the county treasury, and placed in said "Caliente Water Supply Bond Fund," and applied to the payment of the remaining one-half of the said principal of said bonds, and when paid said bonds shall be surrendered and canceled as hereinbefore provided. Special tax in 1915

SEC. 9. Whenever any coupons or bonds shall be paid and canceled as herein provided, the treasurer shall safely keep them until delivered by him to the auditor as legally required. Custody of paid bonds

SEC. 10. All taxes required by this act, to be levied, assessed, collected and paid into the county treasury of said Lincoln County, shall be levied, assessed, collected and paid into said treasury at the same time and in the same manner and by the same officers as state and county taxes are levied, assessed, collected and paid into said county treasury, and no additional allowance, fees or compensation whatever shall be paid to any officer for carrying out the provisions of this act. Taxes herein authorized regular in all respects

CHAP. 111—*An act to exempt from taxation all Young Men's Christian Association buildings, furniture and equipments, and the lots of ground on which they stand, used therewith and necessary thereto, and to repeal all acts in conflict with the provisions of this act.*

[Approved March 18, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. There shall be exempt from taxation all Young Men's Christian Association buildings with their furniture and

Y. M. C. A.
property
exempt from
taxation;
exception

equipments, and the lots of ground on which they stand, used therewith and necessary thereto; *provided*, that when any such property is used for any other than Young Men's Christian Association purposes, and a rent or other valuable consideration is received for its use, the same shall be taxed.

Repeal

SEC. 2. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

CHAP. 112—*An act providing for the purchase of horses for the state police, and making an appropriation therefor.*

[Approved March 18, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Purchase of
horses for
state police
authorized

SECTION 1. That the superintendent of police is hereby authorized and empowered to select and approve for purchase for the use of the Nevada State Police, not exceeding fifteen horses, suitable for use by said police for mounted service; together with such saddles, bridles and other accouterments as required for their equipment.

Superintendent
to
recommend

SEC. 2. On such selection and approval and on the recommendation of said superintendent of police, the commissary of the Nevada State Police is hereby authorized and directed to purchase the same.

Appropriation
of \$3,000

SEC. 3. The sum of three thousand dollars is hereby appropriated from the general fund in the state treasury to carry out the provisions of this Act and all disbursements from which shall be on certificate of the commissary of the Nevada State Police approved by the state board of examiners, and the state controller is hereby authorized and directed to draw his warrant and the state treasurer to pay the same.

CHAP. 113—*An act authorizing the county commissioners of Eureka County, State of Nevada, to regulate the compensation of the justices of the peace and constables of the various townships of Eureka County, Nevada.*

[Approved March 18, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

General
salaries of
justices of
the peace
and constables
in
Eureka
County

SECTION 1. At their first meeting in April, 1911, and every six months thereafter, the board of county commissioners of said Eureka County shall fix the salaries of the respective justices of the peace and constables of the various townships of Eureka County, which salaries shall be in lieu of all criminal fees as are not allowed said officers by law; *provided*, that each

of the said justices of the peace and constables shall be entitled to retain, in addition to the salaries as fixed by said board as aforesaid, all civil and coroners' fees as are now provided by law; *and provided further*, that in no case shall the salary of any of said justices of the peace or constables be fixed at any amount exceeding the sum of one hundred and twenty-five dollars per month. Salaries limited

SEC. 2. All criminal fees received by the said justices of the peace and said constables in the performance of their official duties shall be paid into the county treasury of Eureka County, by said officers, within ten days after the receipt thereof. Criminal fees to go to county

SEC. 3. The said salaries fixed shall be allowed to each of the said justices of the peace and constables as other just claims against the county. Salaries paid as other claims

SEC. 4. In addition to the said salary and fees, each of the said constables shall be allowed his actual expenses when necessarily performing his official duties under criminal process without the boundaries of his respective township. Additional necessary expenses allowed

SEC. 5. All acts and parts of acts in conflict with this act are hereby repealed. Repeal

SEC. 6. This act shall take effect on April 1, 1911. In effect

CHAP. 114.—*An act to create a salary fund for Lincoln County.*

[Approved March 18, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. From and after the passage of this act, the county treasurer and county auditor of Lincoln County, and the board of county commissioners of said county shall cause to be placed into a fund to be known as the salary fund, which is hereby created for that purpose, thirty-three and one-third per cent of all the revenues received or collected for general county purposes; the remainder shall be apportioned among the several funds as now provided by law. Salary fund in Lincoln County created

SEC. 2. The salaries of officers of Lincoln County shall be allowed monthly and paid out of said salary fund. Salaries paid monthly

SEC. 3. Whenever a surplus accrues in said salary fund, the board of county commissioners of said Lincoln County is hereby authorized to transfer such surplus to any county fund in which a deficit exists. Surplus, how disposed of

SEC. 4. All acts and parts of acts in so far as they conflict with the provisions of this act are hereby repealed. Repeal

CHAP. 115—*An act to amend sections 1, 2, and 5 of an act entitled "An act fixing the compensation of certain county officers; authorizing the appointment of a deputy sheriff and of an assistant in the county assessor's office; creating the office of overseer of county prisoners, and regulating his duties, in Humboldt County," approved March 22, 1909.*

[Approved March 18, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of the above-entitled act is hereby amended so as to read as follows:

Salaries in
Humboldt
County

County clerk

Deputy

Section 1. The county clerk of Humboldt County shall receive the sum of two thousand one hundred dollars annually, as full compensation for all services rendered said county by said county clerk, and said sum of two thousand one hundred dollars shall be allowed and paid said county clerk in the same manner as the salaries of other county officers as now allowed and paid. In the event that the services of the said clerk are required in other places than his office, he is hereby authorized to employ and appoint a deputy, which said deputy shall receive the sum of five dollars per day for each day so actually employed, and his claim for said services shall be allowed in the manner as other claims against the county.

SEC. 2. Section two of said act is hereby amended so as to read as follows:

County
treasurer

Deputy

Section 2. The county treasurer of Humboldt County shall receive the sum of two thousand dollars annually, as full compensation for all official services rendered said county by said treasurer; and said sum of two thousand dollars shall be allowed and paid to said county treasurer in the same manner as the salaries of other county officers. The said county treasurer is hereby authorized to employ an assistant in his office for any four months of any year and not longer. Said assistant shall receive the sum of one hundred dollars per month, which sum shall be a just claim against said county and shall be allowed and paid in the manner as other claims against the county.

SEC. 4. Section four of said act is hereby amended so as to read as follows:

Assessor

Section 3. The county assessor of Humboldt County is hereby authorized to employ an assistant in his office for any five months of any year and not longer. Said assistant shall receive the sum of one hundred dollars per month, which sum shall be a just claim against said county and shall be allowed and paid as all other claims against said county are by law now allowed and paid; and at such times as it may be necessary, the said assessor shall make special trips for the purpose of collecting any tax from any sheepman or sheepmen from outside states herding or grazing any sheep from any outside

state within this state; and if the work of his office will not permit him to make said trip or trips in person, said assessor is hereby authorized to employ a deputy to make said trip or trips and collect said tax, and if said taxes are collected on any one of said special trips, said deputy shall be paid the sum of five dollars per day, while so engaged in collecting said tax, and said sum so allowed shall be a just claim against the county and shall be allowed and paid as other claims against the county; *provided*, that no sum greater than the sum of sixty dollars shall be allowed and paid for any one trip. Deputies
Proviso

SEC. 5. The sheriff of Humboldt County is hereby allowed and authorized to appoint an additional deputy sheriff in addition to the one already allowed by law. Said additional deputy sheriff shall receive the sum of one hundred and twenty-five dollars per month, which sum shall be allowed and paid in the same manner as the salaries of other county officers. It shall be one of the duties of such deputy sheriff to act as janitor and perform all of the janitor work in and about the county court-house at the county-seat of said county. Deputy
sheriff
Duties

CHAP. 116—*An act to amend section one of an act entitled an act to amend an act entitled "An act fixing the salaries and compensations of the officers of Humboldt County, and consolidating certain offices in said county, and to repeal all other acts in relation thereto," approved March 9, 1891, approved March 6, 1899, approved March 20, 1903, approved March 13, 1905, approved March 20, 1907.*

[Approved March 18, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of said act is hereby amended so as to read as follows:

Section 1. On and after January 1, 1913, the sheriff of Humboldt County shall receive the sum of twenty-four hundred dollars per annum, which shall be compensation in full for all services rendered as such sheriff and compensation in full for all services rendered as ex officio license collector and for all other ex officio offices. The sheriff shall pay into the county treasury each month all moneys collected by him as fees and all compensation provided in section one hundred and thirty-three of an act entitled "An act to provide revenue for the support of the government of the State of Nevada, and to repeal certain acts relating thereto," approved March 23, 1891. The deputy sheriff shall receive the sum of fifteen hundred dollars per annum as salary, and he shall act as jailer, without further compensation; *provided*, that when it becomes necessary for the sheriff to travel from the county-seat, he shall be allowed his necessary expenses therefor. He shall present to Salary of
sheriff of
Humboldt
County
Salary of
deputy
sheriff

Claims
allowed, how

the board of county commissioners a bill of items of such necessary expenses actually paid, which shall be certified under oath, and the board of county commissioners shall audit and allow such claims in the same manner as other county expenses are audited and allowed.

CHAP. 117—*An act to reimburse the United States of America for military property lost by the State of Nevada, and to purchase from the United States of America, as relics, certain obsolete ordnance and ordnance stores now in possession of the State of Nevada.*

[Approved March 18, 1911]

Reimburse-
ment of U. S.
for lost mili-
tary
property

WHEREAS, The following enumerated property of the United States of America has been lost while in possession of the State of Nevada, and said loss cannot be accounted for, and the assistant secretary of war has notified the governor of this state that the value thereof should be paid to said United States of America, amounting to two hundred and seventy dollars and seventy-two cents, namely:

Property
named

Thirty-nine woolen blankets; twenty yards of fine cloth; two common tents; nine common tent ridge-poles; one hospital tent-fly; one hospital tent ridge-pole; ten revolver screwdrivers; one officer's sword and scabbard; three officers' russet leather saber belts; six and one-half pairs of spurs and straps; thirty-one steel target frames; and

WHEREAS, The assistant secretary of war has offered to sell to the State of Nevada for the nominal sum of one hundred and thirty dollars, the following old, obsolete property:

Two three-inch muzzle-loading wrought-iron rifled guns with carriages, limbers and caissons, and one Gatling gun with carriage and limber; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriation of \$400.72

SECTION 1. The sum of four hundred dollars and seventy-two cents is hereby appropriated from the state treasury to reimburse the United States of America for the loss of the articles enumerated in the foregoing preamble, and to purchase the articles therein mentioned.

Duties of con-
troller and
treasurer

SEC. 2. The state controller is hereby directed to draw his warrants for the sum specified and the state treasurer to pay the same from said appropriation, said warrants to be drawn in favor of the governor of the State of Nevada.

CHAP. 118—*An act authorizing the inspector of mines to purchase certain equipment for emergency use for fighting fires, rescue work, and resuscitating persons overcome with smoke or gases in mines.*

[Approved March 18, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. That the sum of fifteen hundred dollars is hereby appropriated out of the general fund in the state treasury to enable the inspector of mines to purchase, for emergency use, such equipment for fighting fires, rescue work and the resuscitation of persons overcome with smoke and gases in mines, as in his judgment may be required. Inspector of mines to purchase fire fighting and rescue apparatus

SEC. 2. All expenditures under this act shall be on certification by said inspector of mines, approved by the state board of examiners, and the state controller is authorized and directed to draw his warrant therefor and the state treasurer to pay the same. Claims paid on certificate of inspector

CHAP. 119—*An act to repeal an act entitled "An act creating and establishing a state industrial and publicity commission, prescribing their duties and compensation, providing funds to be used for the accomplishment of their objects, and other matters relating thereto," approved March 29, 1907.*

[Approved March 18, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. That certain act of the legislature of the State of Nevada entitled "An act creating and establishing a state industrial and publicity commission, prescribing their duties and compensation, providing funds to be used for the accomplishment of their objects, and other matters relating thereto," approved March 29, 1907, is hereby repealed. State publicity commission abolished

SEC. 2. This act shall take effect and be in force from June 1, 1911. In effect June 1, 1911

CHAP. 120—*An act providing for the payment of certain claims against the state for services rendered or supplies furnished, approved by the state board of examiners, the appropriations for the payment of which having reverted to the general fund or was exhausted previous to January first, nineteen hundred and eleven.*

[Approved March 18, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Payment of
neglected
claims

SECTION 1. There is hereby appropriated out of the general fund in the state treasury the sum of three hundred and forty-three dollars and sixty-three cents for the payment of the following claims against the state for services rendered or supplies furnished, approved by the state board of examiners, and appropriations for the payment of which having reverted to the general fund, or was exhausted previous to January first, nineteen hundred and eleven, namely: Roy M. Filcher, salary, month of December, Lincoln County Experiment Farm, \$125; Nevada Press Company, supplies, \$4.35; William J. Smyth, labor, \$10; W. B. Ligon, salary state auditor, \$19.35; Nevada Press Company, \$38; Postal Telegraph Co., \$4.44; Western Union Telegraph Co., \$37.49; Carson Furniture Co., \$105.

Duties of con-
troller and
treasurer

SEC. 2. The state controller is hereby authorized and directed to draw his warrant for the several amounts, and the state treasurer to pay the same.

CHAP. 121—*An act to amend "An act fixing the compensation of county and township officers in Nye County, State of Nevada, and matters pertaining to the collection and disposition of fees arising from such offices, and regulating the conduct thereof, and to repeal all acts or parts of acts conflicting therewith," approved March 24, 1909, and being chapter CLXXVII, laws of 1909.*

[Approved March 18, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section nine of the above-entitled act is hereby amended so as to read as follows:

Salaries of
constables in
Nye County

Section 9. The constable in townships polling one hundred and fifty votes or more at the last preceding general election shall receive as compensation for all services rendered of whatsoever nature, a salary of not less than \$50 per month, nor more than \$150 per month, as allowed by the board of county commissioners; and in townships polling less than one hundred and fifty votes at the last preceding general election said constable shall receive the fees now provided for in an act of

the legislature of the State of Nevada, entitled "An act to regulate fees and compensation for official and other services in the State of Nevada and to repeal all other acts in relation thereto," approved February 27, 1883.

SEC. 2. Section ten of the above-entitled act is amended so as to read as follows:

Section 10. The justice of the peace in townships polling less than two hundred votes at the last general election shall receive as full compensation for all services rendered by him as such officer the fees now provided for in an act of the legislature of the State of Nevada entitled "An act to regulate fees and compensation for official and other services in the State of Nevada and to repeal all other acts in relation thereto," approved February 27, 1883. In townships polling more than two hundred or less than one thousand votes at the last preceding general election, said justices of the peace shall receive such salary and compensation as shall be fixed and determined by the board of county commissioners; *provided*, that such salary shall not exceed \$1,800 per year. In townships polling more than one thousand votes at the last preceding general election, said justice of the peace shall receive such salary and compensation for his services as shall be fixed and determined by the board of county commissioners; *provided*, that such salary shall not be less than \$1,000 per year, nor more than \$2,400 per year.

Salaries of
justices of
the peace

CHAP. 122—*An act to provide educational facilities for the children in the State Orphans' Home and other matters properly connected therewith.*

[Approved March 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The children residing at the State Orphans' Home shall be included in the school census of Carson City School District, and in consideration of this allowance and the further allowance of one thousand dollars paid annually out of the general fund of the state treasury, the children of the State Orphans' Home shall be entitled to attend and shall attend the Carson City public schools, and to receive therein the full attention, protection and instruction accorded to any other children. To this end the board of directors of the State Orphans' Home is hereby authorized to enter into such agreements with the board of school trustees of Carson City School District, District No. 1 of Ormsby County, as may be necessary to carry out the provisions of this section and of this act; *provided*, that the increased income to the said school district

Orphans'
home
children may
attend
Carson City
public
schools

as herein provided shall be the full consideration to said district for the privilege required in this act.

Text-books,
etc., to be
furnished

SEC. 2. The board of directors of the State Orphans' Home shall furnish the children of the home who are attending school all text-books, supplementary books and necessary school supplies; and they shall provide a sufficient supply of proper library books for the use of said children; *provided*, that the above-mentioned books and supplies shall be purchased by the board of orphans' home directors and paid for out of the orphans' home fund.

Money paid
school trus-
tees, how

SEC. 3. Each three months hereafter, beginning with the first day of December, 1911, and ending with the first day of June, 1912, and on the same dates each year thereafter, the board of school trustees of Carson City School District shall present a voucher against the state for one-third of the amount of money allowed in section one of this act. Upon approval of this claim by the board of directors of the State Orphans' Home and by the state board of examiners, the state controller shall draw his warrant on the state treasurer in favor of the board of trustees of Carson City School District and the state treasurer shall pay the same to the order of said board of trustees, who shall deposit the money with the county treasurer of Ormsby County to the credit of Carson City School District; and this money shall be used by said school trustees for the payment of teachers' salaries in this district.

Repeal

SEC. 4. All acts and parts of acts in conflict with this act are hereby repealed.

CHAP. 123—*An act empowering the county commissioners to levy a special tax to cover the expenses of displaying the products of the county at expositions.*

[Approved March 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

County tax
for exhibits
at exposi-
tions

SECTION 1. From and after the passage of this act, the county commissioners of the various counties are hereby empowered to levy a special tax for the purpose of displaying the products of the county at expositions.

Tax limited

SEC. 2. The county commissioners are hereby authorized to use their discretion in the levying of such tax to cover the legitimate expenses incurred in the display of any such products at any such exposition; *provided*, that in no case shall such tax levy exceed four cents on each one hundred dollars in any one year.

CHAP. 124—*An act to amend sections three and four of an act entitled "An act consolidating certain county offices in Lyon County, and regulating the compensation of the county officers in said county," approved March 16, 1891, approved February 18, 1893, approved March 10, 1897, approved March 13, 1905, approved March 20, 1907.*

[Approved March 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section three of said act is hereby amended so as to read as follows:

Section 3. On and after the first day of March, 1911, the county clerk, as ex officio county treasurer, shall receive an annual salary of one thousand eight hundred dollars, which will be in full compensation for all services, both as county clerk and ex officio county treasurer. He shall make no charge for services performed for the county, but all fees authorized by law and collected by him shall be turned into the county treasury. He shall furnish the board of county commissioners, on the first Monday of each and every month, an itemized statement, under oath, of the amount of fees so collected and date of entry on the books of the treasurer's office when said fees were turned into the county treasury. The said county clerk shall have authority in cases of emergency, by and with the consent of the board of county commissioners of Lyon County, by order duly entered in its minutes, to appoint one or more deputies, at a salary not to exceed one hundred dollars per month each, to be paid out of the general fund of Lyon County, and who shall continue to be paid said salary only during the pleasure and consent of said board.

Salary
county clerk
of Lyon
County

SEC. 2. Section four of said act is hereby amended so as to read as follows:

Section 4. On and after the first day of March, 1911, the county recorder, as ex officio county auditor of Lyon County, shall receive an annual salary of eighteen hundred dollars, which shall be in full compensation for all services of every nature and kind performed by him for said county as county recorder and ex officio county auditor, or by virtue of each or either of said offices. He shall make no charge for services performed for the county, but all fees of every kind authorized by law, and by virtue of said office, shall be collected by him and paid to the county treasurer on the first Monday of each and every month, and he shall at the same time prepare and file with the county treasurer a full and accurate itemized statement, under oath, of all such fees legally collectible, or collected by him in his official capacity during the month previous, and also file a duplicate copy thereof with the board of county commissioners. The said county recorder shall have authority in cases of emergency, by and with the consent of

Salary of
recorder

Deputies,
when

the board of county commissioners of Lyon County, by order duly entered in its minutes, to appoint one or more deputies at a salary of one hundred dollars per month each, to be paid out of the general fund of Lyon County, and shall continue to be paid said salary only during the pleasure and consent of said board.

CHAP. 125—*An act authorizing the appointment of a professor in the University of Nevada to investigate alleged diseases of potatoes which prevent their being marketed in other states than Nevada, and making an appropriation for carrying out the provisions of this act.*

[Approved March 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Potato
disease to be
investigated

SECTION 1. The governor of the State of Nevada is hereby authorized to appoint a professor of the University of Nevada to investigate any alleged disease of potatoes from various parts of the State of Nevada, which renders them unfit for market, or subjects them to condemnation, and report the results of his investigations to the governor, and, in a bulletin, to the farmers of this state.

University
professor to
investigate

SEC. 2. The professor so appointed shall ascertain from the commissioner of California, or such other authority as is responsible for the condemnation of Nevada potatoes in the various markets, why any such potatoes are rejected and not allowed to be sold in these markets.

Appropriation

SEC. 3. The sum of five hundred dollars is hereby appropriated out of any money not otherwise appropriated out of the general fund of the State of Nevada, for the purpose of paying the expenses of such investigations of potatoes as prescribed by this act, and when such bills are approved by the state board of examiners, the state controller is authorized and directed to draw his warrant on the state treasurer, who is hereby directed to pay the same.

Residue
reverts

SEC. 4. Any portion of the appropriation made according to this act that remains unexpended as of December 31, 1913, shall revert to the general fund of the State of Nevada.

CHAP. 126—*An act amendatory of and supplemental to an act entitled "An act to provide for revising, compiling, annotating and publishing the laws of the State of Nevada, and the compiling, annotating and publishing therewith certain laws of the United States of particular interest to the State of Nevada, and other matters properly connected therewith, and making appropriation therefor," which became a law March 31, 1909; making an appropriation for the publishing of such laws and for the paying of expenses heretofore incurred and to be hereafter incurred by the commission provided for in said above-entitled act.*

[Approved March 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section six of said act is hereby amended so as to read as follows:

Section 6. On or before the first day of September, 1911, the entire work of compiling, annotating and indexing the laws of this state, as they shall exist and be in force on the first day of January, 1912, and subsequent to the adjournment of the twenty-fifth session of the legislature, shall be completed and certified to by the said justices of the supreme court as such commissioners and deposited with the secretary of state; *provided*, that the justices of the supreme court, as such commissioners, may approve and certify such work in parts so as to enable the superintendent of state printing to commence the printing thereof at the earliest practicable date.

Compilation
of laws of
State of
Nevada

SEC. 2. The state printer shall furnish suitable proof sheets to the said commission, who shall carefully examine and correct the same.

Proof sheets
furnished

SEC. 3 The sum of \$8,000 is hereby appropriated out of any money in the treasury not otherwise appropriated for the purpose of defraying the expenses of printing and binding said laws and the state board of examiners are authorized and directed to examine such bills as may be presented by the superintendent of state printing, and the state controller shall draw his warrants in favor of the said claimants, and the state treasurer shall pay the same.

Appropriation

SEC. 4. The further sum of \$1,000 is hereby appropriated out of any money in the treasury not otherwise appropriated for the purpose of paying expenses heretofore incurred by said commission for assistance, material and miscellaneous expenses and for which the appropriation heretofore made has been exhausted; that of the said sum of \$1,000, appropriated by this section, the sum of \$650 shall be paid to Walter D. Cole, and \$250 thereof shall be paid to E. T. Patrick; that other claims not exceeding \$100 shall be approved by said commission, filed with the board of examiners, and upon the further approval of said board of examiners, the state controller shall

Further appropriations

draw his warrants, and the state treasurer shall pay the same.

Assistance
may be
employed

SEC. 5. To enable said commission to complete the work of revision, annotating and indexing the compilation of said statutes and for the reading of the proof furnished by the superintendent of state printing, the said commission is authorized to employ assistance from the first day of March, 1911, for a period not exceeding six months, the total expense of such assistance not to exceed the sum of fifteen hundred dollars. For the purpose of paying for such assistance the additional sum of \$1,500 is hereby appropriated out of any money in the treasury not otherwise appropriated. The state controller is hereby directed to draw warrants for the payment for such assistance, approved by said commission, and the state treasurer is hereby directed to pay the same.

CHAP. 127—*An act fixing the salaries of justices of the peace and constables in and for Wonder, Fairview, Stillwater, and New River Township, in the county of Churchill, State of Nevada, and other matters relating thereto.*

[Approved March 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Salaries of
various
justices of
the peace
and con-
stables in
Churchill
County

SECTION 1. From and after the first day of April, A. D. 1911, the justices of the peace and constables of Wonder, Fairview, Stillwater, and New River Townships, in Churchill County, Nevada, shall be allowed salaries and fees as follows, to wit: The justice of the peace of Wonder Township, two hundred and forty dollars per annum, payable in twelve monthly installments of twenty dollars each; the justice of the peace of Fairview Township, two hundred and forty dollars per annum, payable in twelve monthly installments of twenty dollars each; the justice of the peace of Stillwater, two hundred and forty dollars per annum, payable in twelve monthly installments of twenty dollars each; the justice of the peace of New River Township, two hundred and forty dollars per annum, payable in twelve monthly installments of twenty dollars each; the constable of Wonder Township, three hundred dollars per annum, payable in twelve monthly installments of twenty-five dollars each; the constable of Fairview Township, three hundred dollars per annum, payable in twelve monthly installments of twenty-five dollars each; the constable of Stillwater Township, three hundred dollars per annum, payable in twelve monthly installments of twenty-five dollars each; the constable of New River Township, three hundred dollars per annum, payable in twelve monthly installments of twenty-five dollars each.

SEC. 2. In addition to the salaries mentioned in the preceding section the said officers shall be entitled to collect and retain the fees, in civil cases only, as are now provided by law.

Civil fees retained

SEC. 3. The county auditor shall, on the first Monday of each month, draw his warrant in favor of each of the officers named herein for the salary due said officer for the last preceding month, and the county treasurer shall pay said warrant.

Salaries payable monthly

CHAP. 128—*An act to authorize the board of school trustees of Winnemucca school district number seven, Humboldt County, State of Nevada, to issue bonds for the purpose of building additional school rooms to the school building situated in the town of Winnemucca and owned by said district, furnishing and equipping said rooms, for purchasing and installing a heating plant in the said building, and matters properly connected therewith.*

[Approved March 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The board of school trustees of Winnemucca School District Number Seven, Humboldt County, State of Nevada, is hereby authorized and required to prepare and issue bonds of said school district in the amount of ten thousand dollars, exclusive of interest, for the purpose of providing funds for building additional school rooms to the school building situated in the town of Winnemucca and now owned by the said district, for furnishing and equipping the said rooms, and for purchasing and installing a heating plant in the said building.

Bonds for additional school rooms in Winnemucca district

SEC. 2. The bonds authorized under the provisions of section one of this act shall be issued in the sum of five hundred dollars each; shall bear interest at a rate not to exceed six per cent per annum; said bonds shall be numbered from one to twenty inclusive, and shall be signed by the president and the clerk of said board of school trustees and countersigned by the treasurer of Humboldt County. Coupons for interest shall be attached to each bond so that the same may be removed without injury to the bond, and each of such coupons shall be consecutively numbered and signed by the president and the clerk of said board of trustees and the county treasurer.

Denomination of bonds

SEC. 3. The board of school trustees of Winnemucca School District Number Seven are hereby authorized to negotiate the sale of said bonds by advertising for sealed bids, or by private sale, as they may deem for the best interest of the school district; *provided*, that no bonds shall be sold for less than their par value, and that the bonds shall be made payable in gold coin of the United States, and the interest thereon shall be payable in like gold coin.

Bonds to be advertised for sale: sold for not less than par value

Treasurer
custodian of
bonds; liable
for same on
official bond

SEC. 4. All moneys received from the sale of said bonds shall be paid to the county treasurer of Humboldt County and the said county treasurer is hereby required to receive and safely keep the same in a fund to be known as the Winnemucca School District Number Seven Building Fund, and to pay out said moneys only on warrants signed by the president and the clerk of said board of school trustees. The county treasurer shall be liable on his official bond for the safe keeping of said moneys which shall come into his hands and for the faithful discharge of his duties in relation thereto.

Fund for
interest and
redemption
of bonds

SEC. 5. For the purpose of creating a fund for the payment of said bonds as authorized by this act and the interest thereon, the board of county commissioners of Humboldt County is hereby authorized and required, at the time of making the annual levy of taxes for state and county purposes for the year 1912, and annually thereafter, to levy a sufficient tax on all property, both real and personal, including the proceeds of mines, within the boundaries of said school district number seven, to redeem one of said bonds each year, and the payment each year of the accumulated interest on all the bonds authorized by this act. The taxes so levied shall be assessed and collected as other taxes are assessed and collected and shall be paid into the county treasury and set apart as a fund, which is hereby created, to be known as the "Winnemucca District Number Seven Bond Redemption and Interest Fund."

One bond
redeemed
annually
after 1913

SEC. 6. On the first Monday in July, 1913, and every year thereafter, one of said bonds, together with the interest thereon and the accumulated interest on all the unredeemed bonds shall be paid. The payment and redemption of said bonds shall be in the order of their issuance, the lowest numbered bond to be the first paid and redeemed, and so on until the whole amount of bonds issued under the provisions of this act shall have been paid and redeemed. Coupons shall be paid annually and in no case shall any of said bonds run for a longer period than twenty years.

Interest
ceases, when

SEC. 7. Should the holder of said bonds or of any of them, for any cause whatever, fail to present said bonds to the said county treasurer for payment when they become due, all interest on such bonds shall thereafter immediately cease.

Treasurer to
cancel bonds
when
redeemed

SEC. 8. Whenever the county treasurer shall redeem any of the bonds issued under the provisions of this act, he shall cancel the same by writing across the face thereof, "paid," together with the date of such payment, sign his name thereto, and turn the same over to the county auditor, taking his receipt therefor, which receipt shall be filed with the clerk of the board of county commissioners and the auditor shall credit the treasurer on his books for the amount so paid. All bonds issued under the provisions of this act shall be payable at the office of the county treasurer of Humboldt County.

SEC. 9. Whenever the bonds and interest provided for by this act shall have been fully paid, the tax authorized by this

act shall cease, and all moneys remaining in said bond fund shall, by order of the board of county commissioners of Humboldt County, be transferred to the county school fund of the Winnemucca School District Number Seven. Residue
reverts to
county
school fund

CHAP. 129—*An act to provide for the relief of W. C. Grimes.*

[Approved March 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of five hundred and twenty-five dollars is hereby appropriated out of any moneys in the general county fund of Churchill County treasury not otherwise appropriated to be paid to W. C. Grimes, being balance of salary due W. C. Grimes as district attorney of Churchill County for the years 1909 and 1910. Relief of
W. C. Grimes

SEC. 2. The county auditor of said Churchill County is hereby directed to draw his warrant in favor of the said W. C. Grimes for the amount named in this act, and the county treasurer of Churchill County is hereby directed to pay the same. Churchill
County to
pay

CHAP. 130—*An act to authorize payment by the city of Fallon, Nevada, to William S. Wall for legal services rendered in the incorporation of said city.*

[Approved March 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The mayor and city council of the city of Fallon, Nevada, are hereby authorized to allow, the city clerk of said city to draw and deliver his warrant for, and the treasurer to pay, a claim against said city in the sum of two hundred and fifty dollars in favor of William S. Wall for legal services by him rendered in the second judicial district court of the State of Nevada, in and for the county of Churchill, and in the supreme court of the State of Nevada, in the matter of the incorporation of the city of Fallon, Nevada, and to allow him for said services the sum of two hundred and fifty dollars. City of
Fallon to pay
W. S. Wall

CHAP. 131—*An act to authorize the board of county commissioners of Churchill County to issue bonds for the purpose of creating a fund for the construction and maintenance of county roads and county bridges in said county.*

[Approved March 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- | | |
|--|---|
| Churchill
County
bonds for
roads and
bridges | SECTION 1. The board of county commissioners of Churchill County, Nevada, are hereby authorized and empowered to prepare and issue bonds of said county for an amount not exceeding the sum of ten thousand dollars, exclusive of interest, for the purpose of providing funds for the construction and maintenance of county roads and county bridges in said county. |
| Preparation
of bonds | SEC. 2. Prior to the first Monday in May, nineteen hundred and eleven, the board of county commissioners of said county shall cause said bonds to be prepared and ready for issuance. Said bonds shall be signed by the chairman of the board, countersigned by the county treasurer, and authenticated with the seal of the county. Coupons for interest shall be attached to each bond, and each of such coupons shall be consecutively numbered and signed by the chairman of said board and the county treasurer. |
| Record to be
kept | SEC. 3. The clerk of the board of county commissioners shall keep a record of all proceedings under the provisions of this act, showing the number and date of each bond, and to whom issued. |
| Negotiation
of bonds | SEC. 4. The board of county commissioners of Churchill County are hereby authorized to negotiate the sale of said bonds, by advertising for sealed proposals, or by private sales as they may deem for the best interests of the county; <i>provided</i> , that no bonds shall be sold for less than their par value, and that all bonds shall be made for gold coin of the United States, and the interest thereon shall be payable in like gold coin. |
| Denomina-
tion of bonds | SEC. 5. Said bonds shall each be in the sum of five hundred dollars, and the interest on the same shall not exceed six per cent per annum, payable annually on the first Monday in January of each year, at the office of the county treasurer of said Churchill County, and in no case shall any of said bonds run for a longer period than fifteen years. |
| Fund for
interest and
redemption | SEC. 6. For the purpose of creating a fund for the payment of the bonds authorized by this act, and the interest thereon, the board of county commissioners of Churchill County are hereby authorized and required to levy and collect annually a special tax of not exceeding fifteen cents upon each one hundred dollars of assessed value of all property, both real and personal, within the boundaries of said Churchill County, until such bonds and the interest thereon shall have been fully paid. Such tax shall be levied and collected in the same manner and at the same time as other taxes are assessed and collected, and |

the proceeds thereof shall be kept by the county treasurer in a special fund to be known as the "Churchill County Road and Bridge Fund."

SEC. 7. Whenever the bonds and interest provided for in this act shall have been fully paid, the tax authorized by this act shall cease and all moneys remaining in said Churchill County road and bridge fund shall, by order of the board of county commissioners, be transferred to the general fund of said county.

Special tax
to cease,
when

SEC. 8. Should the holder of said bonds or any part thereof, for any cause whatever, fail to present said bonds to the county treasurer for payment as they become due, all interest shall thereafter immediately stop.

Interest
ceases, when

SEC. 9. Whenever the county treasurer shall pay any coupons on bonds, issued under the provisions of this act, he shall cancel the same by writing across the face thereof, the word "paid," together with the date of such payment, sign his name thereto, and turn the same over to the county auditor, taking his receipt therefor, which receipt shall be filed with the clerk of the board of county commissioners, and the auditor shall credit the treasurer on his books with the amounts so paid.

Treasurer to
cancel paid
bonds

SEC. 10. The faith of the State of Nevada is hereby pledged that this act shall not be repealed, nor taxation thereby imposed omitted, until all the bonds and coupons issued under and by virtue thereof shall have been paid in full.

Faith
of State of
Nevada
pledged

CHAP. 132—*An act to incorporate the town of Las Vegas, in Clark County, and defining the boundaries thereof, and to authorize the establishing of a city government therefor, and other matters relating thereto.*

[Approved March 16, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

CHAPTER I

ORGANIZATION—BOUNDARIES—ANNEXATION OF ADJACENT TERRITORY—WARDS—POWERS

SECTION 1. *Creation of Municipality.* All persons, inhabitants of that portion of Clark County, Nevada, embraced within the limits hereinafter set forth shall be and constitute a body politic and corporate by the name and style of "The City of Las Vegas," and by that name and style they and their successors shall be known in law, have perpetual succession and sue and be sued in all courts. The boundaries of the said city shall include all the inhabitants, lands, tenements and property included in the sections 26 to 35, inclusive, township 20 south, range 61 east, and sections 2 to 5, inclusive, in town-

Incorporat-
ing city of
Las Vegas

ship 21 south, range 61 east, Mount Diablo base and meridian, and, also, such other and additional lands and tenements as may, at any time hereafter, be embraced or included within established limits of said city as hereinafter provided. Such city shall have such powers, rights, authority, duties, privileges and obligations as are hereinafter set out and prescribed.

Territory.
how annexed

SEC. 2. *The Annexation of Adjacent Territory—Manner of Procedure of.* Territory adjoining and contiguous to the corporate limits of the city of Las Vegas may be annexed to said city upon the application therefor in writing, describing said territory by metes and bounds signed by a majority of persons residing within such territory, who are qualified to vote for the members of the legislature of the State of Nevada and who are taxpayers in the county of Clark, such petitioners to possess both of said qualifications.

One ward
only

SEC. 3. *Wards—Boundaries—Change of.* The city of Las Vegas shall consist of one ward embracing the territory within the limits of said city as above described and such territory as may hereafter be annexed to said city.

Powers of
city

SEC. 4. *Additional Powers.* The said city shall have and be vested with all the rights, powers, property and things of every kind now belonging to the town of Las Vegas, and may have and use a common seal and the same alter at pleasure, and may purchase, receive, hold and enjoy real and personal property within or without the city, and sell, convey and dispose of the same for the common benefit; and may determine and declare what are public uses, for the purposes of the city, and when the necessity arises or exists of condemning lands or property therefor; and what are the lands and property necessary to condemn; and may receive bequests, devises, gifts and donations of all kinds of property, within or without the city, in fee simple or in trust, for charitable or other purposes, and do any, every and all acts and things whatsoever, necessary to carry out the purposes of such bequests, devises, gifts and donations, with full power to manage, sell, lease or otherwise dispose of the same in accordance with the terms of such bequest, devise, gift, donation or trust.

CHAPTER II

OFFICERS—PRIMARY ELECTIONS—CLAIMS AND ACCOUNTS—ORDINANCES—RECALL—IMPEACHMENT—ARRESTS

Mayor
and commis-
sioners

SECTION 1. *Board of Commissioners—First Election of.* The governing body of the city of Las Vegas shall consist of a board of commissioners, composed of a mayor and four commissioners, the first election for whom shall be held in the manner and at the time as follows:

First city
election

First—It shall be the duty of the board of county commissioners of Clark County, on or before the first Tuesday in April, 1911, to issue a proclamation for an election to be held within the limits of the precinct of Las Vegas, said election to be held on the first day in June, 1911. All of the qualified electors of the precinct of Las Vegas, as shown by the regis-

tration list at the last general election, shall have the right to vote at such election. Said proclamation shall state:

(a) That the qualified voters of the precinct of Las Vegas shall vote on the question whether they shall accept the charter and be incorporated as a city, pursuant to the provisions as herein set forth; Acceptance of charter

(b) For the election of a mayor and four commissioners for the city of Las Vegas, to be voted for and elected by the qualified electors of the precinct of Las Vegas; Election of officers

Second—The board of county commissioners shall cause the said proclamation to be published in some newspaper in the town of Las Vegas for a period of at least two weeks prior to the date of said election, and printed notices of such proclamation shall be posted in three public places in said town. Said proclamation shall fully set forth the purposes of said election, and any and all other or further matters necessary or required to fully and fairly apprise the qualified electors of said precinct of the date, time and place of holding such election, the purpose thereof, the conditions under which the same is held, the name of the inspectors of such election, and such other matters as may be deemed proper in the premises. Proclamation to be advertised

Third—All provisions of the law relating to general elections so far as the same can be made applicable, and not inconsistent with the provisions of this act, shall apply to and be observed in the proclamation calling for and the conduct of such election hereinbefore provided for, as well as applied to and observed in the appointment of inspectors making and canvassing the returns of said election. General election laws apply

Fourth—No candidate for office at such election shall be entitled to have his name placed upon the official ballot unless such candidate shall, at least ten days before the date of such election, file in the office of the county clerk of Clark County, a petition signed by at least ten per cent of the qualified electors of Las Vegas precinct as shown by the registration list thereof at the last general election; such petition shall show that the nominee therein possesses the qualifications as required by this act for the office for which he is nominated. Qualifications of candidates

Fifth—The board of county commissioners shall authorize and direct the county clerk of said county to cause to be printed a sufficient number of ballots for said election upon which shall appear the names of the candidates for the offices above specified; also the words "For the Adoption of the Charter," "Against the Adoption of the Charter." The county commissioners shall, at least ten days before the election, also appoint two inspectors and two clerks to conduct said election, and they shall conduct said election in accordance with the laws of the state governing elections. The officers of such election shall make returns to the board of county commissioners, who shall, within five days thereafter, meet and canvass said vote, and shall cause to be entered upon their minutes the result of such canvass. They shall first canvass the votes Commissioners to have ballots printed
Election provisions

Election
provisions

for and against the adoption of the charter. If from such canvass they find that a majority of the electors have voted against the adoption of this charter, then they shall declare this charter rejected, and the offices to be filled at said election dissolved. If at said election and canvass they find that a majority of said votes have been cast in favor of the adoption of this charter, then they shall proceed to canvass the votes cast for the various officers under this charter and proclaim as follows: Said board of county commissioners shall cause a certificate of election to issue to person receiving the highest number of votes for mayor. The candidate receiving the highest number in each class, as in this act provided, shall be declared elected to the office of commissioner for the city of Las Vegas by the board of county commissioners of Clark County, who shall thereupon cause a certificate of election to be issued to such persons. The said board of county commissioners shall cause all the expenses of printing and publishing the said proclamation and of holding such election to be paid out of the town fund of Las Vegas.

Elective
officers

SEC. 2. *Officers—Elective.* The elective officers of the city of Las Vegas shall consist of a mayor and four commissioners, as above provided.

City election
every two
years

SEC. 3. *Officers, Election of—Election, When and How Held—Commissioners—Classes of Ballot.* After said election as above provided for and on the first Tuesday after the first Monday in May, 1913, and at each successive interval of two years thereafter, there shall be elected at large by the qualified voters of the city of Las Vegas at a general election to be held for that purpose a mayor and four commissioners. Said officers shall hold office for a period of two years and until their successors shall have been elected and qualified. The board of commissioners of said city shall order the general election and shall determine the places in said city for holding the same, and the mayor of said city shall make proclamation thereof, and otherwise said election and the manner of holding the same shall be governed by the laws of the State of Nevada governing general elections, so far as the same may be applicable thereto, and in the event there should be any failure on the part of the general laws of the state to provide for some feature of said city election then the board of commissioners of said city of Las Vegas shall have the power to provide for such deficiency. The four commissioners to be elected, as provided for in this act shall be voted for and elected separately and shall be separately designated on the official ballot by numbering the same "1," "2," "3," and "4." Each person desiring to become a candidate for commissioner as aforesaid shall designate the number of the class to which he desires to become a candidate, and his name shall be printed on the official ballot beneath the number so selected, and each voter shall vote for only one candidate in each such class.

SEC. 4. *Officers, Election of—Canvass of Returns, When and by Whom—Tie Vote Procedure.* On the Tuesday following said election, or as soon thereafter as practicable, the board of commissioners of the city of Las Vegas then in office shall canvass the returns and declare the election of the candidates receiving the highest number of votes. And in the event it should appear that a tie vote exists as to any two or more of the candidates for any office made elective by popular vote the board of commissioners of the city of Las Vegas shall forthwith summon the candidates who have received such tie votes to appear before such board, and such board in the presence of such candidates shall determine the tie by lot.

Canvass of returns

Tie vote

SEC. 5. *Officers, Appointive and Ex Officio—Enumeration of—Compensation.* The county treasurer and ex officio tax receiver of the county of Clark shall be ex officio treasurer and tax receiver of the city of Las Vegas; the county assessor of the county of Clark shall be ex officio assessor of the city of Las Vegas; the city clerk of the city of Las Vegas shall be ex officio license collector of the city of Las Vegas. Each of the above-mentioned officers in this section set forth shall perform the respective duties of their offices under said city without extra compensation, but for the performance of the duties of city assessor relative to special assessments as in this act provided, the board of commissioners, upon the request of the city assessor, shall appoint, for such time as his services may be necessary, a deputy city assessor to perform such duties relative to special assessments; and the board of commissioners shall fix and pay the deputy such compensation as they deem fit. The county treasurer and county assessor of the county of Clark shall be liable on their official bond for the faithful discharge of the duties imposed on them by this act. The board of commissioners may appoint a city clerk with a salary not to exceed \$600 per annum, payable in equal monthly installments; also a city attorney, with a salary not to exceed \$600 per annum, payable in equal monthly installments; also a city marshal, with a salary not to exceed \$1,800 per annum, payable in equal monthly installments; also a judge of a municipal court at a salary not to exceed \$25 per month. The board of commissioners may appoint such other officers as such board may from time to time ordain and establish, with the right to select the incumbent thereof and prescribe the duties of such office. The compensation of the appointive officers shall be fixed, allowed and paid by the board of commissioners out of such city funds as the board may designate. Any one or more of such appointive officers may, in the discretion of the board of commissioners, be combined and the duties thereof discharged by one person.

County officers to be ex officio city officers

SEC. 6. *Officers, Elective—Qualifications of.* The mayor and each of the said four commissioners shall not be less than 25 years of age, citizens of the United States, and for at least two years immediately preceding their election residents of the city

Qualifications of mayor and commissioners

of Las Vegas, qualified voters who are property owners and taxpayers in said city. All of the officers made elective by the popular vote shall within thirty days after the result of the election is ascertained, qualify as required by this charter and the constitution and laws of the State of Nevada, and failing to do so within the said time such office shall be and become vacant.

Primary
election,
when

SEC. 7. *Primary Election—Manner of Holding.* A primary election shall never be deemed to be a prerequisite to a general election, but in the event the primaries should be held then the same shall be conducted in accordance with the laws of the State of Nevada, applying to and governing the same. In case of a primary election held by any political party or organization to nominate the candidates for the office of commissioner the candidates before such primary shall be nominated separately as provided for in the general election and the names of the successful candidates before such primary, shall appear on the official ballot at the general election in the class in which he was nominated at such primary.

Oath of
officers

SEC. 8. *Official Oath.* Every person elected by the voters of said city or by the board of commissioners to fill any office under this act, shall, before entering on the duties of his office, take and subscribe to the official oath provided by the constitution of this state; and in addition thereto that he is not under any direct or indirect obligation to vote for, appoint or elect any person to any office, position or employment in the city government of the city of Las Vegas.

Bonds of
officers

SEC. 9. *Officers, Elective—Bonds of—Approval by Chairman Board of County Commissioners.* All officers elected by popular vote before entering upon the duties of their respective offices shall give bond in the sum of \$1,000, payable to the city of Las Vegas, Clark County, Nevada, conditioned for the faithful discharge of the duties of the office, which bond shall be signed by the principal and by two or more good and sufficient sureties, to be approved by the chairman of the board of county commissioners of Clark County, Nevada.

Salaries

SEC. 10. *Mayor and Commissioners, Salary of.* The mayor of said city shall receive as remuneration for his services, the sum of twelve dollars (\$12) per annum, payable in equal monthly installments; and each of the commissioners shall receive the sum of twelve dollars (\$12) per annum, payable in the same manner.

Officers sub-
ject to
certain
restrictions

SEC. 11. *Commissioners Not to Hold Other Office—Officers Not to Contract with City or Make Bonds to City—Forfeiture of Office.* No member of the board of commissioners shall hold any other public office or employment under the county of Clark, nor have employment thereunder, nor receive compensation for any other position or office which is paid out of the public money of the city of Las Vegas, nor be elected nor appointed to any office created by or the compensation of which was

increased or fixed by the board of commissioners while he was a member thereof. Nor shall any member of the board of commissioners of the city of Las Vegas be pecuniarily interested directly or indirectly in any contract let by the city, nor in any matter wherein the rights or liberties of the city of Las Vegas are, or may be, involved; nor shall any member of the board of commissioners of the city of Las Vegas be interested directly or indirectly in any public work or contract let, supervised or controlled, or which shall be paid for wholly or in part by the city, nor shall any such commissioner become the surety of any person or any bond or other obligation of the city of Las Vegas. Any member of the board of commissioners of the city becoming interested directly or indirectly as aforesaid, or by commission, or retainer, or fee, or by gift, or loan given or received at the time of the transaction or before or after the same, in any contract, franchise, work, purchase, or sale, by or with any of the agencies aforesaid, shall forfeit all rights or claim to the title and emoluments of the office which he may happen to hold in said city, and shall be expelled therefrom by the board of commissioners, or, if they shall fail to remove said member of the board of commissioners, guilty as aforesaid, he shall nevertheless be subject to removal upon the action of any five citizens taken in the district court of Clark County in such proceedings as are appropriate and proper.

Officers subject to certain restrictions

SEC. 12. *Officers, Elective—Removal of—Investigation.* The board of commissioners shall have the power to remove any elective officer for incompetency, corruption, malconduct, malfeasance or nonfeasance in office, or such other causes as may be prescribed by ordinance after notice in writing and opportunity to be heard in his defense, under the rules and regulations herein set forth. That whenever charges are preferred in writing under oath, or when information otherwise comes to the knowledge of any of the commissioners against any such officer for any or all of the offenses named or provided for above, it shall be his duty or their duty to have the accused duly served with a copy of such charges, and shall set a day to inquire into the truth of such charges, and shall notify the accused and other members of the said board, and the witnesses for and against the accused to be present and the said board of commissioners shall constitute a court to try and determine the case, and they are hereby vested with the exclusive jurisdiction to hear and determine said charges, and may continue the investigation from day to day upon proper showing to enable the accused or prosecutor to get material evidence before said board. The accused shall have the right to be heard in person or by counsel, and said board shall likewise be represented by counsel, if they desire it. Upon the conclusion of the investigation and argument of the case, a vote shall be taken on each charge and specification, and if a majority of all the members of said board vote to sustain

Officers, how removed

Investigation, when

either of the charges against the accused, said board shall enter or cause to be entered its judgment, in which shall be recorded the vote of each member of the board, upon the several charges and specifications, and an order shall be entered removing the accused from his office and declaring the same vacant. But if the vote is otherwise, the accused shall be declared not guilty and judgment entered accordingly.

SEC. 13. *Recall of Officer—Procedure—Election of Successor.*

Recall of
officer; pro-
cedure

The holder of any elective office may be removed at any time by the electors qualified to vote for a successor of such incumbent. The procedure to effect the removal of an incumbent of an elective office shall be as follows: A petition signed by electors entitled to vote for a successor to the incumbent sought to be removed equal in number to at least twenty per centum of the entire number of persons entitled to vote in said city at said time, demanding an election of a successor of the person sought to be removed, shall be filed with the city clerk; *provided*, that the petition sent to the city clerk shall contain a general statement of the grounds for which the removal is sought. The signatures to the petition need not be all appended to one paper, but each signer shall add to his signature his place of residence, giving his street and number. One of the signers of each such papers shall make an oath before an officer competent to administer oaths that each signature is that of the person whose name purports to be thereunto subscribed. Within ten days from the filing of such petition, the city clerk shall examine same and from the list of qualified voters ascertain whether or not said petition is signed by the requisite number of qualified voters, and if necessary the commissioners shall allow him extra help for that purpose, and he shall attach to said petition a certificate showing the result of said examination. If by the clerk's certificate the petition is shown to be insufficient, it may be amended within ten days from the date of said certificate. The clerk shall within ten days after such amendment, make like examination of the amended petition and if his certificate shall show same to be insufficient, it shall be returned to the person filing the same without prejudice, however, to the filing of a new petition to the same effect. If the petition shall be found sufficient, the clerk shall submit the same to the commissioners without delay. If the petition shall be found to be sufficient, the city commission shall order and fix a date for holding the said election not less than thirty nor more than forty days from the date of the clerk's certificate to the commission that a sufficient petition is filed. The city commission shall make or cause to be made publication of notice and all arrangements for holding such election, and the same shall be conducted, returned, and the result thereof declared in all respects, as are other city elections. The successor of any officer so removed shall hold office during the unexpired term of his predecessor. Any person sought to be removed may be a candidate to succeed himself and unless

Election of
successor

he requests otherwise, in writing, the clerk shall place his name on the official ballot without nomination. In any such removal election, the candidate receiving the highest number of votes shall be elected. At such election if some other person than the incumbent receives the highest number of votes, the incumbent shall thereupon be deemed removed from the office upon the qualification of his successor. In case the party who receives the highest number of votes should fail to qualify within ten days after receiving notification of election, the office shall then be vacant. If the incumbent receives the highest number of votes, he shall continue in office.

SEC. 14. *Vacancy in Office—Resignation—Election of Successors.* Resignation by the mayor or any commissioner elected under this act, or any other charter officer created by this act, shall be made in writing to the board of commissioners for their action thereupon. In case of the removal of the domiciles of the mayor or any commissioner or any other charter officer from the territory limits of said city, such removal shall *ipso facto* be deemed to create a vacancy in his office. In case of any vacancy from any cause in the office of mayor or any commissioner, the same shall be filled for the unexpired term by a majority vote of the remaining members of the board of commissioners.

Vacancies,
how filled

SEC. 15. *Oaths—Who May Administer.* Each commissioner and the city clerk shall be and are hereby authorized to administer oaths in the municipal affairs and government of the city.

Oaths, who
may admin-
ister

SEC. 16. *Board of Commissioners—Powers—Commissioners of Several Departments—Duties of—Designation of Mayor, Change of.* Said board of commissioners so constituted shall have control and supervision over all of the departments of said city, and to that end shall have the power to make and enforce such rules and regulations as they may see fit and proper for and concerning the organization, management and operation of all the departments of said city and whatever agencies may be created for the administration of its affairs. The mayor shall designate from among the commissioners, at the first meeting of the board after their election and qualification, at each election, or as soon thereafter as may be practicable, one commissioner who shall be known as police and fire commissioner who shall be the executive officer of his department and who shall have under his special charge the enforcement of all police regulations of said city and general supervision over the fire department thereof; who shall have the power to employ policemen and firemen, and to discharge them at any time when in his discretion such action will improve the service, and to exercise any power and control over said departments that he may deem necessary for the improvement of the service in said department; *provided, however,* his control so exercised shall not be in conflict with other provisions of this act, or ordinance of the city, or any rule or regulation put in force by the board of commissioners; and one commissioner to be

Commission-
ers of city
departments
designated
by mayor

Proviso

Various com-
missioners of
departments

known as commissioner of streets and public property who shall be the executive officer of his department, and who shall have under his special charge the supervision of streets, alleys, public grounds and property of said city, and be charged with the duty of keeping the streets and alleys, public grounds, and property clean and in a sanitary condition and with the enforcement of all rules and regulations necessary to these ends, and one commissioner to be known as the water works, sewerage and light commissioner, who shall be the executive officer of his department, and who shall see to the enforcement of all rules and regulations with respect to said departments, and shall see that all contracts with reference thereto are faithfully complied with, and that the conditions of the grant of any franchise privileges are faithfully complied with, and performed; and one commissioner known as the commissioner of finance and revenue, who shall be the executive officer of his department, and who shall have under his special charge the enforcement of all laws for the assessment and collection of taxes of every kind and the collection of all revenues belonging to said city, from whatever source the same may be derived, and who shall also examine into and keep informed as to the finances of the city; it being the purpose of this act to charge each commissioner in control of a department with its management and to fix directly upon him the responsibility for its proper conduct; *provided*, the mayor shall have the power at any time when in his discretion it is for the best interests of the service in any department under the special charge of any commissioner to recall the appointment of such commissioner and designate another commissioner as the commissioner of such department, and to designate the commissioner so removed commissioner over another department.

Proviso

Mayor's
powers and
duties

SEC. 17. *Mayor—Powers and Duties.* The mayor shall be the chief executive officer of the city of Las Vegas, and shall see that all the laws thereof are enforced; he shall be clothed with all the authority that is now or may hereafter be vested in a mayor by general law so far as the same may be applicable and not in conflict with this act. He shall have and exercise such power, prerogative and authority, acting independent of or in concert with the board of commissioners, as are conferred by the provisions of this act, as may be conferred upon him by the board of commissioners, and not inconsistent with the general purpose and provisions of this charter, and shall have the power to administer oaths, and shall sign all contracts and shall have the right and authority at any time to suspend any officer or employee of the city subject to the provisions of this act; *provided, however*, he shall not have the right to remove one of the commissioners of the city or other charter officer except by acting in concert with the other members of the board of commissioners when present and may vote on all questions the same as other commissioners.

Proviso

SEC. 18. *Claims and Accounts—Warrants, How Issued—Financial Statements, Publication of.* The commissioner named as the head of each department shall audit all accounts or claims against it unless he is absent or fails or refuses to do so, in which event the mayor shall appoint another commissioner to act in his stead during his absence, or to audit such claims or accounts as said commissioner shall fail or refuse to act upon, but before payment all accounts shall be approved by the board of commissioners and no money shall be paid for any purpose except upon warrant executed by the mayor and attested by the city clerk upon order of the board and the commissioners shall cause complete and full records of all such claims and transactions to be kept by the city clerk in books secured for that purpose; said board of commissioners shall require a statement to be published or cause to be posted as may be designated by them, in January, April, July and October of each year showing a full and clear and complete statement of all taxes and other revenue collected and expended during the preceding quarter, indicating the respective sources from which the moneys are derived and also indicating the disposition made thereof and all outstanding bonds and other obligations.

Claims,
accounts and
financial
statements

SEC. 19. *Board of Commissioners—Meetings—Special Meetings—Quorum.* The board of commissioners created by this act shall meet at least once a month in regular meeting at such time as shall be fixed by said board at the city hall or other designated place in said city to consider and take under advisement and act upon such business as may come before them. Three commissioners or the mayor and two commissioners of said board shall constitute a quorum for the transaction of all business, but no final action shall be taken in any matter concerning the special department of any absent commissioner unless such business has been made a special order of the day, or such action is taken at a regular meeting of the board; *provided*, that no bonds, may be issued, nor taxes levied except at a regular meeting attended by at least three commissioners and the mayor or by four commissioners without the mayor. Special meetings may be called by the mayor of the board or by any two members thereof at any time to consider only such matters as shall be mentioned in the call of said meeting, and written notice thereof shall be given to each member of said board; all official sessions of said board, whether regular or called shall be open to the public.

Meetings of
commissioners
at least
once a month

Quorum

Proviso

Special meet-
ings, when

SEC. 20. *Ordinances—Power to Enact—How Enacted—Style Of.* The board of commissioners of said city shall be vested with the power and charged with the duty of making all laws or ordinances not inconsistent with the constitution of this state, touching every object, matter and subject within the local government instituted by this act, and the style of all ordinances shall be: "Be it ordained by the Board of Commissioners of the

Ordinances

Enacting
clause

City of Las Vegas," but such caption may be omitted when said ordinances are published in book form or are revised and digested under order of the board.

Rules of procedure
Impeachment, when

SEC. 21. *Board of Commissioners—Procedure—Impeachment.* The board of commissioners shall determine its own rules of procedure in so far as the same do not conflict with this act, may punish its members for disorderly conduct, shall compel the attendance of its members, and with the concurrence of a majority of the members elected, may impeach and expel any member. Any member of the board of commissioners who shall have been convicted of bribery or any other felony, or who shall violate any other provision of this act, shall forfeit his office and emoluments attached thereto.

Election of mayor, term of
Mayor pro tem

SEC. 22. *Mayor Pro Tem—Election and Term of Office.* At the first regular meeting of the board of commissioners after their induction into office, it shall be the duty of the board to elect one of its members by a majority vote of the board who shall be known and designated as mayor pro tem, and he shall continue to hold the title and the office until the expiration of the term of office for which he was elected by the commissioners, but he shall receive no extra pay by reason of being or acting mayor pro tem.

Duties of mayor pro tem

SEC. 23. *Mayor Pro Tem—Duties—Procedure in Absence of Mayor and Mayor Pro Tem.* If for any reason the mayor is absent from the city, sick or unable to perform the duties of his office, the mayor pro tem shall act as mayor, and he shall be vested with all the powers and shall perform all the duties of the mayor during such absence or sickness. In case the absence of both the mayor and the mayor pro tem, the remaining commissioners shall elect one of their number to act instead of the mayor or mayor pro tem.

When mayor pro tem becomes mayor

SEC. 24. *Mayor Pro Tem—Duties—Title—When to Serve as Mayor.* In case of the death, resignation or permanent disability of the mayor, or whenever a vacancy in the office of mayor shall occur for any reason, the mayor pro tem shall act as mayor and possess all the rights and the powers of the mayor, and perform all of his duties under the official title, however, of mayor pro tem, until the next municipal election.

Commissioners to investigate departments
In contempt, when

SEC. 25. *Board of Commissioners—Investigations by—Contempt—False Swearing.* The mayor and the board of commissioners may, and it shall be their duty, at any time, to investigate each and every department of the city government and the official acts and conduct of the city officials, and for the purpose of ascertaining facts in connection with such investigation, shall have the power to compel the attendance and testimony of witnesses, to administer oaths, and to examine such persons as they may deem necessary, and compel the production of books and documents. Failure to appear by any one when served by a notice to do so, shall be contempt, which may be punished by fine, and in default of the payment thereof, the person so fined may be imprisoned. Wilful,

false swearing in such investigations and examination shall be perjury and punishable as such. Perjury.
when

Sec. 26. *Officers, Subordinate—Duties Restricted and Altered—Bonds.* The board of commissioners shall have the power, and it shall be their duty to prescribe by ordinance, the powers and duties of all officers of the city, whether elected or appointed, where the same have not been provided for in this act and shall have authority from time to time to add thereto, alter or restrict the same, and shall require of all such officers as they may deem necessary, to execute bonds payable to the city of Las Vegas in such amount and form as the board of commissioners may provide with good and sufficient sureties, to be approved by the board of commissioners, conditioned for the faithful discharge of their respective duties. The board of commissioners shall have the power at any time to require any of such officers to execute a new bond or bonds when the existing bond or bonds shall, for any reason, be deemed by the board of commissioners insufficient. Commissioners to
prescribe
duties and
powers of
subordinate
officers

Sec. 27. *Police—Duties.* For the preservation of the peace, the police and watchmen shall have all the powers given by law to constables. It shall be their duty to suppress all riots, disturbance and breaches of the peace; to arrest all persons fleeing from justice, to apprehend upon view any person found in the act of committing any offense against the laws of the state, or violating the ordinances of the city and to take the offender before the proper magistrate or officer to be punished; to make complaints before the proper magistrate of any person known or believed by them to be guilty of crime or any violation of the ordinances of the commissioners, and to serve all processes that may be delivered to them for that purpose, and generally to perform all such duties as may be required by the commissioners for the good government of the city. Police,
duties of

Sec. 28. *Municipal Court.* There shall be in said city a municipal court; the papers, pleadings filed therein, and processes issuing therefrom shall be entitled "In the Municipal Court of the City of Las Vegas." Municipal
court

Sec. 29. The municipal court shall be presided over by a police judge, who shall be a citizen of the state and resident of the said city for not less than one year and who shall be a qualified elector of said city. The municipal court shall have such powers and jurisdiction in the city as are now provided by law for justice of the peace, wherein any person or persons are charged with breach or violation of the provisions of any ordinance of said city or of this act, or of a violation of a municipal nature, and the said court shall have concurrent jurisdiction with the justice of the peace in both civil and criminal matters arising and triable within the limits of said city and be governed by the same rules and receive the same fees as are now, or may be provided by law; *provided*, that the trial and proceedings in such cases shall be summary and without a jury. The said court shall have jurisdiction to hear, Police judge,
qualifica-
tions

Concurrent
jurisdiction
with justice
courts

Proviso

Fines,
regulations
regarding

try and determine all cases, whether civil or criminal, for the breach or violation of any city ordinance or any provision of the charter of a police nature, and shall hear, try, determine, acquit, convict, commit, fine or hold to bail in accordance with the provisions of such ordinances or of this charter. The practice and proceedings in said court shall conform, as nearly as practicable, to the practice and proceedings of the justice courts in similar cases. Fines imposed by the court may be recovered by execution against the property of the defendant, or the payment thereof enforced by imprisonment in the city jail of said city, at the rate of one day for every two dollars of such fine, or said court may, in its discretion, adjudge and enter upon the docket a supplemental order that such offender shall work on the streets or public works of said city, at a rate of two dollars for each day of the sentence, which shall apply on such fine until the same shall be exhausted or otherwise satisfied.

Municipal
court, juris-
diction in
various
cases

Said court shall have jurisdiction of any action for the collection of taxes or assessments levied for city purposes, when the principal sum thereof does not exceed three hundred dollars; also of actions to foreclose liens in the name of the city for the nonpayment of such taxes or assessments where the principal sum claimed does not exceed three hundred dollars; also of any action for the collection of any money payable to the city from any person when the principal sum claimed does not exceed three hundred dollars; also for the breach of any bond given by any officer or person to or for the use or benefit of the city, and any action for damages in which the city is a party, and upon all forfeited recognizances given to or for the use or benefit of the city, and upon all appeal bonds given on appeals from said court in any of the cases above named, when the principal sum claimed does not exceed three hundred dollars; also for the recovery of personal property belonging to the city when the value thereof does not exceed three hundred dollars; *provided*, that nothing herein contained shall be so construed as to give such court jurisdiction to determine any such cause when it shall be made to appear by the pleadings or the verified answer, that the validity of any tax, assessment or levy shall necessarily be in issue in such cause, in which case the court shall certify such cause to the district court in like manner and with the same effect as provided for by law for certification of causes by justice courts.

Proviso

Jurisdiction
of offenses
against
peace of city

The said court shall have jurisdiction of the following offenses committed within the city, which violate the peace and good order of the city, or which invade any of the police powers of the city, or endanger the health of the inhabitants thereof, such as breaches of the peace, drunkenness, intoxication, fighting, quarreling, dog fights, cock fights, routs, riots, affrays, violent injury to property, malicious mischief, vagrancy, indecent conduct, lewd or lascivious cohabitation or behavior, and

all disorderly, offensive or opprobrious conduct, and of all offenses under ordinances of the city.

The said court shall be treated and considered as a justice court whenever the proceedings thereof are called into question. The court shall have power to issue all warrants, writs and process necessary to a complete and effective exercise of the powers and jurisdiction of said court, and may punish for contempt in like manner and with the same effect as is provided by the general law for justices of the peace.

Treated as justice court

The police judge shall keep a docket in which shall be entered all official business in like manner as in justice courts. He shall render monthly or oftener, as the commissioners may require, an exact and detailed statement in writing, under oath, of the business done and of all fines collected, as well as imposed but uncollected, since his last report, and shall at the same time render and pay unto the city clerk all fines collected and moneys received on behalf of the city since his last report.

Docket to be kept

In all cases in which the police judge shall by reason of being a party, or being interested, or related to either defendant or plaintiff, or complaining witness, as the case may be, by consanguinity or affinity within the third degree, or in case of his sickness, absence or inability to act, any justice of the peace of said county on the written request of the mayor, may act in the place and stead of such justice of the peace, and the commissioners shall have power to apportion ratably the salary or compensation of such police judge to such justice of the peace so serving, and deduct the sum so apportioned from the salary of such police judge.

Judge disqualified to act, when

Appeals to the district court may be taken from any final judgment of said municipal court, in the same manner and with the same effect as in cases of appeal from justice courts in civil or criminal cases, as the case may be.

Appeals, how taken

All warrants issued by the municipal court shall run to any sheriff or constable of the county or the marshal or any policeman of the city.

Warrants

SEC. 30. The style of ordinances shall be as follows: "The Board of Commissioners of the City of Las Vegas do ordain." Ordinances when first proposed shall be read aloud in full to the board of commissioners and final action thereon shall be deferred until the next regular meeting of the said board, except that in cases of emergency, by unanimous consent of the whole board, such special action may be taken immediately or at a special meeting called for that purpose.

Enacting clause of ordinances

All ordinances shall be signed by the mayor and attested by the city clerk and be published in full together with the names of the commissioners voting for or against their passage in a newspaper published in such city, if any there be; otherwise some newspaper published in the county and having a general circulation in such city, for the period of at least one week, before the same shall go into effect; *provided*, that whenever a

Signed by mayor

What
constitutes
publication
of ordi-
nances

revision is made and the revised ordinances are published in book or pamphlet forms by the authority of the board, no further publication shall be deemed necessary. The city clerk shall record all ordinances in a book kept for that purpose, together with the affidavits of publication by the publisher, and said book or certified copy of the ordinances therein recorded, in the name of the city, shall be received as *prima facie* evidence in all courts and places without further proof, or if published in book or pamphlet forms by the authority of the said board of commissioners they shall be so received.

Powers of
board of
commis-
sioners

SEC. 31. The said board of commissioners shall have the following powers: To make and pass all ordinances, resolutions and orders, not repugnant to the constitution of the United States or of the State of Nevada, or to the provisions of this act, necessary for the municipal government and management of the city affairs, for the execution of all powers vested in the city and for making effective the provisions of this act; and to enforce obedience to such ordinances with such fines or penalties as the said board may deem proper; *provided*, that the punishment of any offense shall be by a fine in any sum less than three hundred dollars or by imprisonment not to exceed six months, or by both such fine and imprisonment.

2. To control the finances and property of the corporation.

3. To appropriate same for corporate purposes only, and to provide for the payment of all debts and expenses of the corporation.

4. To levy and collect taxes within the city for general and special purposes on real and personal property as provided by law.

5. To borrow money on the credit of the city for corporate purposes in the manner and to the extent allowed by the statutes and the laws, and to issue warrants and bonds therefor in such amounts and forms and on such conditions as the board of commissioners shall determine; and the said board may secure the payment of any bonds of the city by making them a preferred lien against the real or other property of the city; *provided*, that said city shall not issue or have outstanding at any time bonds to an amount in excess of 20 per cent of the total valuation of the taxable property within its limits as shown by the last preceding tax list or assessment roll, not warrants, certificates, scrip or other evidences of indebtedness, excepting the bonded indebtedness in excess of 2 per cent of said assessed valuation; and *provided further*, that nothing herein contained shall be construed to restrict the powers of said city as to taxation, assessment, borrowing money, contracting debts or loaning its credit for procuring supplies of water. The said board shall provide for the payment of interest on such bonds as the same shall become due and for a sinking fund for the payment of the principal within thirty years after issuing same. The board shall have the power to acquire or establish any public utility only in the manner

herein provided. The board shall enact an ordinance which shall set forth fully and in detail the public utility proposed to be acquired or established; the estimated cost thereof as shown by the report provided by the board and mayor or an engineer or party theretofore appointed by the board for that purpose; the proposed bonded indebtedness to be incurred therefor; the terms, amount, rate of interest, and time within which redeemable and on what fund. Such ordinance shall be published in full at least once a week for four successive weeks in some newspaper of general circulation published in the city. At the first regular meeting of the board, or any adjournment thereof, after the completion of said publication, the board shall proceed to enact an ordinance for such purposes, which shall conform in all respects to the terms and conditions of the previously published ordinance, unless a petition shall be presented to it signed by not less than 20 per cent of the qualified electors of the said city, as shown by the last preceding registration list, and representing not less than 10 per cent of the taxable property of said city, as shown by the last preceding tax list or assessment roll, provide for a special election upon the question of whether or not the proposed ordinance shall be passed, thereupon, no such ordinance shall be enacted or be valid or effective for any purpose whatsoever unless at the special election called and held for the purpose, the majority of the votes cast are for the ordinance.

Powers of
board of
commis-
sioners

In addition to the powers elsewhere conferred upon said board they shall also have the power, for the purpose or constructing sewerage systems within the said city and waste mains therefrom, said board is hereby authorized to issue bonds therefor not to exceed the sum of sixty thousand dollars; which bonds shall be of convenient denominations, ranging from one hundred dollars to one thousand dollars, and shall bear interest at the rate of not more than six per cent per annum, the interest on each bond to be payable semiannually. Said bonds shall be numbered consecutively and have interest coupons attached in such manner that they can be removed upon any payment of any installment of interest on the bonds without injury to the bonds. The bonds shall be signed by the mayor and countersigned by the city clerk, and shall be distinctively known as "Las Vegas Sewerage Bonds." Before issuing the said bonds, the said board shall publish a notice for at least three consecutive weeks in some daily newspaper published in the said city, calling for a special election by the regularly qualified electors of the city whether such bonds shall issue. If there be no daily newspaper published in this city, the said notice shall be posted in at least three conspicuous places within the limits thereof for the same length of time, and in addition thereto published in a weekly newspaper of said city for the period aforesaid. Notice shall state consecutively the amount of the proposed bond issue, the rate of interest bonds are to bear,

Powers of
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time and manner of their payment, and that they are for the construction of a sewerage system. The board shall cause a sufficient number of ballots to be printed which shall bear the words: "Sewerage Bonds—Yes" and "Sewerage Bonds—No" printed thereon in parallel lines one above the other. The voter will scratch out the word "Yes" if opposed to the bonds, and the word "No" if in favor of the issue. The election shall be conducted and the votes announced in all several particulars as in other elections. If a majority of the votes cast are in favor of the issuance of the bonds the board of said commissioners shall proceed at once to issue them as rapidly as needed in conformity with the provisions of this act. Said bonds shall be sold at not less than their par value and shall be redeemable in the order of their issue within thirty years from the date of issue. The said board shall provide for the payment of the said bonds and the interest thereon at the time of the regular tax levy for state and county and city purposes by levying an additional tax upon the property, real and personal, within the limits of the city, sufficient in their judgment to pay the interest upon said bonds semiannually as it becomes due, and the principal at such a rate as will redeem all of the bonds within thirty years from the date of their issue; in which case the thirty years shall begin to run from the date of the particular bond to be paid. The said taxes shall be assessed and collected the same as other taxes paid to the county treasurer, and by him placed in a fund to be known as the "Las Vegas Sewerage Fund." All sewerage systems constructed under the provisions of this act, shall be so constructed under the supervision and control of the said board. The material may be purchased and work caused to be done directly by the board, or it may advertise for plans and specifications and bids for construction as they may see fit.

6. To issue bonds in place of or to supply means to meet maturing bonds or for the consolidation of refunding of the same.

7. To divide the city into districts for the purpose of local taxation or to create districts for that purpose as occasion may require.

8. To raise revenue by levying and collecting a license fee or tax on any private corporation or business within the limits of the city and to regulate the same by ordinance. All such license fees and taxes shall be uniform in respect to the class upon which they are imposed.

9. To fix the amount of licenses and terms and manner of their issuance.

SEC. 32. County Commissioners to Apportion Road Fund.

County road
fund to be
apportioned

The board of county commissioners of Clark County shall, from time to time, upon the request of the city board of commissioners, apportion the city such proportion of the Las Vegas road district fund of the county of Clark as the value of the whole property within the corporate limits of the city, as shown

by the assessment roll, shall bear to the whole property within the Las Vegas road district, inclusive of the property within the city, and all moneys so apportioned shall be expended upon the streets, alleys and public highways of the city, under the direction and control of the city board of commissioners.

10. To fix, impose and collect a license tax on and to regulate all character of lawful trades, callings, industries, occupations, professions and business, conducted in whole or part within the city, including all theaters, theatrical or melodeon performances and performances of any, every and all kinds for which an admission fee is charged, or which may be held in any house, place or enclosure where wines, spirituous, malt, vinous or intoxicating liquors are sold or given away; circuses, shows, billard tables, pool tables, bowling alleys and exhibitions and amusements. To fix, impose and collect a license tax on and regulate all taverns, hotels, restaurants, chop houses, cafes, saloons, eating houses, lunch counters, barrooms, games and gaming houses, lodging houses accommodating four or more lodgers, manufacturers, laundries, livery stables, sale stables, cattle or horse corrals, express companies, telegraph and telephone companies, oil wells or tanks, oil refineries, tanneries, foundries, brick yards, pressed-brick yards, street railway companies operating in whole or in part within the city. To fix, impose and collect a license tax on and regulate auctioneers and stock brokers. To fix, impose and collect a license tax on, regulate, prohibit or suppress tippling houses, dram shops, saloons, bars, barrooms, raffles, hawkers, peddlers, except those dealing in their own agricultural products of this state. To fix, impose and collect a license tax on, regulate, prescribe the location of or suppress, all saloons, barrooms, tippling houses, dram shops, any and all places where intoxicating drinks are sold or given away, street fakers, street peddlers, except as above stated, fortune tellers, mediums, astrologers, palmists, clairvoyants, phrenologists, pawn shops, pawn brokers, oil wells, oil tanks, oil refineries, soap manufacturers, brick yards, livery, feed or sale stables, cattle or horse corrals, foundries and machine shops. To prohibit and suppress all dog fights, prize fights, cock fights, bear, bull or badger baits, sparring and sparring contests. To regulate, prohibit the location of, and suppress, all houses of ill-fame, hurdy-gurdy houses, bawd houses, and any and all places to which persons resort for lewd or lascivious purpose, or purposes of lewdness or prostitution, including dance houses and saloons having special attractions, such as music or otherwise.

City licenses
to be
imposed

To fix, impose and collect a license tax on and regulate all lawful professions, trades, callings, and business whatsoever, including grocers, merchants of any, every and all kinds, trades and traders of all kinds, hotels, butcher shops, slaughter houses, wood and fuel dealers, coal dealers, sewing-machine agents, marble or stone dealers, saddle or harness makers or shops, cigar stores, stationery stores, confectionery stores, news-

To fix and
collect
license on
various kinds
of business

To fix and
collect
licenses on
various kinds
of business

paper stands, plumbing shops, tin shops, when separate from hardware stores, paint or oil stores, bicycle shops, repair shops, cycleries, garages, monthly and semimonthly newspapers or publications, ice peddlers, insurance companies, fire, life and accident, and agents or solicitors for the same, surety companies and agents or solicitors for the same, shooting galleries, upholsterers, soap factories, barber shops, collection agencies and collectors, carpet cleaners, photographers, wagon makers, wheelwrights, blacksmith shops, horseshoeing shops, tailors and tailor shops, shoe shops, cobblers, tinkers, cloth cleaning and dyeing establishments, all billiard or pool games, or other or any table games played with cue and balls, or other mechanical device, bakeries, milliners, gunsmith shops, steam renovating works, dressmaking establishments, telephone companies, electric light, water and power companies, bankers, brokers of any, every and all kinds, electric supply houses, job printers, manufacturers of soda water or other or any soft drinks, or of beer, malt, spirituous or vinous liquors or other or any alcoholic beverages, brewing companies, brewing agencies, patent medicine agencies, agencies of any and all kinds, wholesale liquor houses, ore purchasers or brokers, sampling works, flour mills, city express and job wagons, draymen, second-hand stores, messenger service establishments, contractors, contracting mechanics or builders, sash and door factories, planing mills, machine shops, car shops, building and loan companies and agents and solicitors for the same, real estate agents, real estate solicitors, pop corn, peanut, delicatessen, fruit and lemonade stands, refreshment or coffee stands, booths and sheds, dry goods stores of every, any and all kinds, boot and shoe stores, furniture stores, drug stores, undertakers, glass and crockery stores, tamale stands or shops, abstract of title companies or persons furnishing abstracts of title, iron works, notions and notion stores, pipe and tobacco stores, advertising by billboards, placards and the like, bootblacks and bootblack stands, gun stores, sporting, hunting and fishing tackle stores, jewelry stores, resorts for amusement of all kinds, and all and singular each, every and any business, and all trades and professions, including attorneys, doctors, physicians and dentists, and all character of lawful business or callings and not herein specifically named; *provided*, that in fixing licenses the board must make the same uniform as to each trade, calling, business, occupation or profession.

Dog tax

11. To fix, impose and collect an annual per capita tax on all dogs and to provide for the capture and destruction of all dogs on which said tax shall not be paid. To fix, impose and collect a license tax on and regulate hacks, hackney coaches, cabs, omnibuses, express wagons, drays, job wagons and other public vehicles and to regulate their charges, and to require schedules of charges to be posted in or upon such public vehicles. To fix, impose and collect a license tax on,

regulate, prohibit or suppress runners for hotels, taverns or other businesses.

12. To lay out, establish, open, alter, widen, extend, grade, pave, or otherwise improve streets, alleys, avenues, sidewalks, parks and public grounds, and to vacate the same. To open streets

13. To plant or direct and regulate the planting of ornamental shade trees, in, along and upon streets, avenues, sidewalks, parks and public grounds.

14. To regulate and control the use of streets, alleys, avenues, sidewalks, crosswalks, parks and public grounds. Further powers of board of commissioners

15. To prevent and remove obstructions and encroachments upon the same.

16. To provide for and regulate crosswalks, curbs and gutters.

17. To name streets, avenues or other public places, and to change the names thereof.

18. To regulate or prohibit traffic and sales upon the streets, and sidewalks, and in public places.

19. To regulate the use of sidewalks and all structures thereunder or thereover, and to require the owner or occupant of any property to keep the sidewalk in front or along the same, free from snow and other obstructions.

20. To regulate and prevent the throwing or depositing of ashes, offal, dirt, garbage, or any offensive matter in, and to prevent injury or obstruction to, any street, avenue, alley, park or public ground.

21. To regulate or prohibit the use of streets, avenues, alleys, sidewalks, public buildings and grounds, for signs, sign posts, awnings, poles for the support of wires or cables, horse troughs or racks, or for posting handbills or advertisements.

22. To regulate or prevent the flying of flags, banners, or signs, across the street, or from buildings.

23. To regulate or prohibit the exhibition, distribution or carrying of placards or handbills in the streets, avenues, alleys, public grounds, or upon the sidewalks.

24. To regulate the speed of horses and other animals, bicycles, automobiles, and other conveyances and vehicles, and cars and locomotives within the limits of the corporation, and to prescribe the length of time any street may be obstructed by trains being made, or cars standing thereon; and to prevent horseracing, immoderate driving or riding in the streets, alleys, avenues and public places.

25. To regulate or prohibit any public demonstrations and processions.

26. To compel persons to fasten animals attached to vehicles standing or remaining in the streets, alleys, avenues and public places.

27. To prevent or regulate the rolling of hoops, playing of ball, flying of kites, riding of bicycles or tricycles, or any other amusement or practice having a tendency to annoy persons

Further
powers of
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passing in the streets, or on the sidewalks, or to frighten teams or horses.

28. To regulate the ringing of bells, blowing of horns and bugles, crying of goods by auctioneers and others, and the making of other noises for the purpose of business, amusements or otherwise, and to prevent all orations, harangues, loud outcries, performances and devices tending to the collection of persons on the streets or sidewalks.

29. To construct and keep in repair bridges, viaducts and tunnels, and to regulate the use thereof.

30. To permit, regulate or prohibit the locating, constructing or laying of the tracks of any railroad or tramway in any street, avenue, alley or public place; and to grant franchises to persons or corporations to lay, maintain and operate, in, upon, along, through or across any street, alley, avenue, or any part or parts thereof, of said city or other public places therein, railroad tracks and connecting and terminal tracks.

31. To declare a nuisance and to take up and remove, or to cause to be taken up and removed, the tracks of any railway, which shall have been laid upon, in, along, through or across any of the streets, alleys, avenues or public places of the city and which shall not have been operated with cars for public use for a period of one year after the laying thereof.

32. To require railroad companies to fence their respective railroads or any portion of the same, and to construct cattle guards, crossings of streets, alleys, avenues and public places, and keep the same in repair within the limits of the city.

33. To require railroad companies to provide protection against injury to persons or property; to compel said companies to raise or lower their tracks to conform to any grade which may at any time be established by such city, so that such tracks may be crossed at any place on any street, alley, or avenue; to compel railroad companies to make and keep open and to keep in repair, ditches, drains, sewers and culverts along and under their railroad tracks so that the natural or artificial drainage of adjacent property shall not be impaired.

34. To provide for the lighting, sprinkling and cleaning of the streets, alleys, avenues, sidewalks, crosswalks, parks and public grounds.

35. To regulate the opening and use thereof for the laying of conduits, gas or water mains, or pipes, and the building and repairing of sewers, tunnels and drains.

36. To contract with, authorize or grant any person, company or association a franchise to construct, maintain and operate gas, electric or other lighting works in the city, and to give such persons, company or association, the privilege of furnishing light for the public buildings, streets, sidewalks and alleys of said city.

37. To provide for the lighting of streets, laying down of gas pipes and erecting of lamp posts; to regulate the use of gas,

natural gas and electric and other lights and electric power, and to regulate the inspection thereof.

38. To construct and maintain water works, gas works, electric-light works, street railways, or bath-houses, or to authorize the construction and maintenance of the same by others, or to purchase or lease any or all of said works from any person or corporation.

Further
powers of
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39. To construct or authorize the construction of water works without the city limits for the supply of said city; and for the purpose of maintaining and protecting the same from injury and the water from pollution, their jurisdiction shall extend over the territory occupied by such works and over all reservoirs, streams, canals, ditches, pipes, flumes and drains used in or necessary for the construction, maintenance and operation of the same and over the stream or source from which the water is taken, above the point from which it is taken; and to enact all ordinances and regulations necessary to carry the power herein conferred into effect.

40. To regulate and control the water and water courses, ditches and flumes, within or leading to the city, and to regulate and control mill privileges within the city.

41. To construct, purchase or lease, and maintain canals, ditches, flumes, artesian wells and reservoirs; and to purchase or lease springs, streams or sources of water supply for the purpose of providing water for irrigation, domestic or other public purposes; and to prevent all waste of water flowing from artesian wells, and, if necessary, to secure said sources of water supply, to purchase or lease the land from or upon which said water has been appropriated or applied. Also to purchase, acquire or lease stock in ditch, canal, reservoir or water companies for the purpose of providing water for such city and the inhabitants thereof.

42. To fix the rate to be paid for the use of water furnished by the city.

43. To purchase, construct, lease, rent, manage and maintain any system or part of any system of water works, hydrants and supplies of water, telegraphic fire signals, or fire apparatus, and to pass all ordinances, penal or otherwise, that shall be necessary for the full protection, maintenance, management and control of the property so leased, purchased or constructed.

44. To regulate the construction, repair and use of vaults, cisterns, areas, hydrants, pumps, sewers, gutters and plumbing and to provide for a board of examiners to examine into the fitness and qualifications of persons following the plumbing trade; and to prescribe what qualifications shall be had by persons following said trade.

46. To establish markets and market-houses, and to provide for the regulation and use thereof.

47. To provide for the place and manner of sale of meats,

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poultry, fish, butter, cheese, lard, vegetables and all other provisions and regulate the selling of the same.

48. To provide for and regulate the inspection of meats, fruits, poultry, fish, butter, cheese, lard, vegetables, flour, meal, and all other provisions.

49. To provide for the inspection, measurement, or graduation, of any merchandise, manufacture, or commodity, and to appoint the necessary officers therefor.

50. To provide for the inspection and sealing of weights and measures.

51. To enforce the keeping and use of proper weights and measures by vendors.

52. To provide for and regulate the inspection of malt, vinous, fermented, and spirituous liquors.

53. To declare what shall be a nuisance, and to abate the same, and to impose fines upon parties who may create, continue, or suffer nuisances to exist.

54. To provide for and regulate the location, management and construction of packing houses, tanneries, canneries, renderies, bone factories, slaughter houses, butcher shops, soap factories, foundries, breweries, distilleries, livery stables and blacksmith shops in or within one mile of the limits of the corporation.

55. To prohibit any offensive or unwholesome business or establishment in or within one mile of the limits of the corporation; to compel the owner of any pig-sty, privy, barn, corral, sewer or other unwholesome or nauseous house or place, to cleanse, abate or remove the same, and to regulate the location thereof.

56. To make regulations to secure the general health of the city, to prevent to introduction of contagious, infectious, malignant diseases into the city, and to make quarantine laws and regulations and enforce the same within the corporate limits, and within twelve miles thereof. To create a board of health and prescribe the powers and duties of the same.

57. To purchase, hold and pay for lands within or without the city limits for the burial of the dead and all necessary grounds for hospitals, and to erect, maintain and manage suitable buildings thereon, and to have and exercise police jurisdiction over the same and over any cemetery used by the inhabitants of said city; and to survey, plat, map, fence, ornament, and otherwise improve all public burial and cemetery grounds; and to convey cemetery lots owned by the city, and pass rules and ordinances for the protection and government of said grounds; to vacate public burial and cemetery grounds, to prohibit subsequent burials therein and to provide for the removal therefrom of all bodies which may have been interred therein.

58. To regulate the burial of the dead and the registration of births and deaths; to direct the return and keeping of bills

of mortality, and to impose penalties on physicians, sextons and others for default therein.

59. To provide for the burial of the indigent dead and to pay the expenses thereof.

60. To authorize the taking and to provide for safe keeping and education, for such periods of time as may be expedient, of all children who are destitute of proper parental care. Further powers of board of commissioners

61. To establish, maintain and regulate free public libraries and reading rooms as is or may be provided by law, and to perpetuate free libraries and reading rooms as may have been heretofore established in said city.

62. To define fire limits, and prescribe limits within which no building shall be constructed, except it be of brick, stone or other incombustible material, without permission, and to cause the destruction or removal of any building constructed or repaired in violation of any ordinance, and to cause all buildings or enclosures which may be in a dangerous state to be put in a safe condition or removed.

63. To prescribe the manner of constructing stone, brick and other buildings, and the construction of fire escapes; and to cause all buildings used for public purposes to be provided with sufficient and ample means of exit and entrance, and to be supplied with necessary and appropriate appliances for the extinguishment of fires, to prevent the overcrowding thereof and to regulate the placing and use of seats, chairs, benches, scenery, curtains, blinds, screens or other appliances therein.

64. To prevent the dangerous construction and condition of chimneys, fireplaces, hearths, stoves, stovepipes, heaters, ovens, furnaces, boilers, and appurtenances used in and about buildings and manufactories, and cause the same to be removed or placed in a safe condition.

65. To regulate and prevent the carrying on of manufacturing likely to cause fires, and to prevent the deposit of ashes in unsafe places.

66. To regulate and prohibit the keeping of any lumber yard and the placing or piling or selling of any lumber, timber, wood or other combustible material within the fire limits of the city.

67. To regulate or prevent the storage of gunpowder, tar, pitch, resin, coal oil, benzine, turpentine, nitroglycerine, petroleum, or any of the products thereof, and other combustibles or explosive material, and the use of lights in stables, and other places, and the building of bonfires.

68. Except as otherwise provided by law, to provide for the organization and support of a fire department; to procure fire engines, hooks, ladders, buckets and other appurtenances; and to organize fire-engine and hook and ladder companies and to prescribe rules, duties and government therein with such penalty as the board may deem proper, and to make all necessary

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appropriations therefor; and to establish regulations for the prevention and extinguishment of fires.

69. To provide for the inspection and to regulate the use of steam boilers; to provide for the examination, regulation and licensing of stationary engineers and others having charge or control of stationary engines, boilers or steam-generating apparatus, or elevators within the corporate limits of the city.

70. To prohibit cruelty to animals.

71. To regulate or prohibit the running at large within the limits of the city of horses, mules, asses, cattle, swine, sheep, goats, geese, and all kinds of poultry; to establish a pound and appoint a pound keeper, and prescribe his duties, and to distrain and impound animals running at large, and to provide for the sale of the same in the same manner provided by the laws of the state for the sale of estrays, trespassing animals. The proceeds arising from the sale of such animals, after the payment of all costs, shall go to the city treasury to be disposed of according to law.

72. To provide for the punishment of persons disturbing the peace and good order of the city or any lawful assembly, by clamor or noise or by intoxication, fighting or using obscene or profane language, or otherwise violating the public peace by indecent or disorderly conduct, or by lewd or lascivious behavior and to punish the interference with any city officer in the discharge of his duty, also to provide for the punishment of trespass, and such other petty offenses as the board may deem proper.

73. To provide for the punishment of tramps, common street beggars, common prostitutes, habitual disturbers of the peace, pickpockets, gamblers, thieves, or persons who practice any game, trick or device with intent to swindle.

74. To arrest, fine, or set to work on the streets or elsewhere all vagrants, mendicants, and persons found in said city without visible means of support or some legitimate business.

75. To prevent intoxication, fighting, quarreling, dog fights, cock fights, prize fights, bull fights and all disorderly conduct, and to provide against and to prevent the offenses of assault and battery and petit larceny; to restrain riots, routs, noises, disturbances, or disorderly assemblies in any street, house or place in the city; to regulate and prevent the discharge of fire-arms, rockets, powder, fireworks, or any other dangerous or combustible material in the streets, lots, grounds, alleys, or about or in the vicinity of public buildings. To provide against or prevent the offense of obtaining money or property under false pretenses, or the offense of embezzling money or property, in all cases where the money or property embezzled or obtained by false pretense does not exceed in value the sum of fifty dollars.

76. To regulate and prohibit the carrying of concealed weapons.

77. To establish, erect and maintain city jails, houses of

correction and detention and workhouses for the confinement of persons convicted of violating any city ordinance, and to make rules and regulations for the government of the same, and to appoint necessary jailers and keepers; and to use the county jail for the confinement or punishment of offenders subject to such conditions as are imposed by law and with the consent of the board of county commissioners.

Further powers of board of commissioners

78. To punish and prohibit the selling or giving away of any intoxicating, malt, vinous, mixed or fermented liquors to any minor, insane or idiotic person, habitual drunkard, or person in the habit of becoming intoxicated; and also to punish for keeping, maintaining or becoming an inmate of, visiting or in any way contributing to the support of any place, house or room where persons assemble for the purpose of smoking opium, or inhaling the fumes of opium, or where opium is sold for such purposes.

79. To provide for and regulate the numbering of houses and lots.

80. To purchase, receive, hold, sell, lease, convey and dispose of property, real and personal, for the benefit of the city, both within and without the city boundaries; to improve and protect such property and to do all other things in relation thereto which natural persons might do; *provided*, that the board shall not have the power to mortgage, hypothecate, or pledge any property of the city for any purpose.

81. To erect and maintain all needful buildings for the use of the city.

82. The board of commissioners shall have the power to condemn property for public uses.

SEC. 32. When power is conferred upon the board to do and perform any act or thing, and the manner of exercising the same is not specifically pointed out, the board may provide by ordinance the manner and details necessary for the full exercise of such power.

Ordinance for specific duties

SEC. 33. *Corporate Name of City, Plaintiff.* All actions brought to recover any fine or to enforce any penalty under any ordinance of the city shall be brought in the corporate name of the city as plaintiff; and no prosecution, recovery or acquittal for the violation of any such ordinance shall constitute a defense to any other prosecution of the same person for any other violation of any such ordinance, although the different causes of action existed at the same time, and if united would not have exceeded the jurisdiction of a justice of the peace.

Corporate name of city as plaintiff

SEC. 34. *All Fines To Go to the City Treasury.* All fines and forfeitures for the violation of ordinances and all money collected for licenses or otherwise, shall be paid into the treasury of the city at such times and in such manner as may be prescribed by ordinance.

Fines to go to city

SEC. 35. *Punishment of Offenders.* In all actions for the violation of any ordinance, it shall be sufficient if the com-

Commitment of offenders

plaint refer to the title and section of the ordinance under which such action is brought. Any person upon whom any fine or penalty shall be imposed, may, upon the order of the court, before whom the conviction is had, be committed to the county jail or the city prison, or to such other place as may be provided by the city for the incarceration of offenders, until such fine, penalty and costs shall be fully paid.

Chain gang SEC. 36. *Chain Gang.* The board of commissioners shall have power to provide by ordinance that every person committed shall be required to work for the city at such labor as his strength will permit, not exceeding eight hours each working day; and for such work the person so employed shall be allowed two dollars for each day's work on account of such fine and costs. The board may provide for the formation of a chain gang for persons convicted of offenses in violation of the ordinances of the city, and for their proper employment for the benefit of the city, and to safeguard and prevent their escape while being so employed.

Process, how served SEC. 37. Any constable or sheriff may serve any process or make any arrest authorized to be made by any officer of the city.

Officers to deliver city property SEC. 38. *Property Delivered to Successors.* Every officer of the city shall, within five days after notification, and request, deliver to his successor in office, all properties, books and effects of every description in his possession and belonging to the city or appertaining to his office; and upon his failure, refusal or neglect to do so shall be liable for all damages caused thereby, and to such penalty as may be by ordinance prescribed.

Additional duties of officers SEC. 39. *Additional Duties May Be Imposed.* The duties powers and privileges of all officers in any way connected with the city government, not herein defined, shall be defined by the board; and the defining by this act of the duties of city officers, shall not preclude the board from defining by ordinance further and additional duties to be performed by any such officer.

Office of city clerk SEC. 40. *Office of the City Clerk.* The city clerk shall keep his office at the place of meeting of the board of commissioners, or some other place convenient thereto, as the board may direct. He shall keep the corporate seal and all papers and records of the city and keep a record of the proceedings of the board, whose meetings it shall be his duty to attend. Copies of all papers filed in his office, and transcripts from all records of the city board certified by him, under the corporate seal, shall be evidence in all courts, to the same effect as if the original were produced.

Duties of clerk SEC. 41. *Duties of the Clerk.* He shall countersign all contracts made in behalf of the city, and every such contract or contracts to which the city is a party shall be void unless signed by the city clerk.

SEC. 42. *Duties of Auditor To Be Performed by City Clerk.*

The city clerk shall draw and countersign all orders upon the treasurer in pursuance of any order or resolution of the board, and keep a full and accurate account thereof in books provided for that purpose; shall make to the board from time to time, upon the order of the board, reports of the financial condition of the city; shall make and keep a list of outstanding bonds, to whom issued, for what purpose, when and where payable, and the rate of interest they respectively bear, and recommend such action of the board as shall secure the payment of the principal and interest of such bonds; shall report annually on or before the first day of June, to the board, an estimate of the expenses of the city and the revenue necessary to be raised for the current year; shall keep regular books of account in which he shall enter all indebtedness of the city, and which shall, at all times, show the financial condition of the city, the amount of bonds, orders, certificates or other evidences of indebtedness issued by the board, the amount of all bonds, orders, certificates or other evidences of indebtedness which have been redeemed, and the amount of each outstanding; shall keep accounts with all receiving and disbursing officers of the city, showing the amounts they have received from the different sources of revenue and the amounts which have been disbursed under the direction of the board; shall examine all reports, books, papers, vouchers and accounts of the city treasurer; shall audit all claims and demands against the city before they are allowed by the board; and shall keep a record of all claims presented and the action of the board thereon; shall keep a book properly indexed in which he shall enter all contracts, which book shall be open to the inspection of all persons interested; and shall perform such other duties as the board may provide by ordinance.

Duties of clerk as city auditor

SEC. 43. *Statement of Finances.* The city clerk shall prepare on or before the first Monday in March of each year, and thereafter keep on file in his office, subject to public inspection, a detailed statement of the financial condition of the city and of all receipts and expenditures for the previous year, ending December 31st, showing:

Financial statements

1. The total receipts of the city, stating particularly the source of each portion of revenue.
2. The amount of cash on hand at the date of the last report.
3. The amount of sinking fund and how invested.
4. The number, date and amount of every bond issued, or redeemed, and the amount received or paid therefor.
5. The indebtedness of the city, funded and floating, stating the amount of each class and the rate of interest borne by such indebtedness or any part thereof.
6. Each warrant issued, to whom and on what account.
7. The amount of cash in the city treasury and in its several funds. He shall publish on or before the first Monday in March of each year, in some newspaper having a general circulation in the city, a notice that such a detailed statement

has been prepared, is on file in his office, and open to public inspection at all times.

City
treasurer
custodian of
all city
moneys

SEC. 44. The city treasurer shall receive all money belonging to the city, including all taxes, licenses and fines, and keep an accurate and detailed account thereof, in such a manner as provided in this act, or as the board from time to time may by ordinance direct, and he shall collect special taxes and assessments as provided by law and ordinance. He shall make a settlement with the city clerk as the board may direct, at the end of every month, and turn over all warrants, interest coupons, bonds or other evidence of indebtedness of the city, which may have been redeemed by him during the month, taking the receipt of the city clerk therefor, and all such warrants, orders or other evidence of indebtedness shall be canceled by him, and have written or stamped thereon the date of their payment or redemption.

Further
duties of city
treasurer

SEC. 45. *Further Duties of City Treasurer.* He shall pay no money out save upon lawful warrant, except on account of bonds and interest coupons, which when due may be paid upon presentation, or, in case the same are payable at some other place, then the money for their redemption shall be sent to the place where they are payable in time to meet such payment when due.

Warrants

SEC. 46. *Warrants.* All warrants shall be paid out of their respective funds in the order in which they shall be issued.

Receipts

SEC. 47. *Receipts for Payments.* The treasurer shall give to every person paying money into the city treasury a receipt therefor, specifying the date of payment and upon what account paid; and he shall also file the duplicate of such receipt with the city clerk, as the board may direct, at the date of his monthly report.

Money kept
separate

SEC. 48. *City Moneys Kept Intact.* The treasurer shall keep all money belonging to the city separate and distinct from his own money.

Treasurer to
report

SEC. 49. *Report of Treasurer.* The treasurer shall report to the board at such times as may be prescribed by ordinance, giving a full and detailed account of all receipts and expenditures since his last report, and the state of the treasury. He shall also keep a register of all warrants redeemed and paid during the year, and describing such warrants, their date, amount, number, the fund from which paid, and the person to whom paid, specifying also the time of payment. And all such warrants shall be examined by the board at the time of receiving such report.

Special funds

SEC. 50. *Special Funds.* All moneys received from any special assessment shall be held by the treasurer as a special fund, to be applied to payment for the improvement for which the assessment was made, and said money shall be used for no other purpose whatever.

City tax

SEC. 51. *City Taxes.* The board shall annually, at the time prescribed by law for levying taxes for state and county pur-

poses, levy a tax not exceeding one and one-half ($1\frac{1}{2}$) per cent upon the assessed value of all real estate, and personal property within the city made taxable by law; and the tax so levied shall be collected at the same time and in the same manner and by the same officers, exercising the same functions, as prescribed and provided in the revenue laws of the state for collection of state and county taxes; and the revenue laws of the state shall, in every respect not inconsistent with the provisions of this act, be deemed applicable and so held to the levying, assessing and collecting of the city taxes; *provided*, that in the matter of the equalization of assessments, the rights of the city and the inhabitants thereof shall be protected in the same manner and to the same extent by the action of the county board of equalization, as are the state and county. And whenever or wherever practicable and expedient, all forms and blanks used in levying, assessing and collecting the state and county revenues, shall with such alterations or additions as may be necessary, be used in levying, assessing and collecting the revenue of the city. The board shall enact all such ordinances as it may deem necessary and not inconsistent with this act and the laws of the state, for the prompt, convenient and economical collecting of the city revenue.

SEC. 52. *Revenue Ordinances.* The board shall have full power to pass and enact all ordinances necessary or required to carry into effect the revenue laws in the city and to enlarge, fix and determine the powers and duties of all officers in relation thereto.

SEC. 53. *Expenses, How Proportionately Paid.* Such part of the expenses of improving any streets, lanes, avenues, or alleys by grading, paving, graveling, curbing, parking, constructing sidewalks or crosswalks, or otherwise improving the same, as the board shall determine, may be paid from the general fund or district street fund, from the proper street district, or the said cost or a portion thereof, as the board shall determine, may be defrayed by special assessments upon lots and premises abutting upon that part of the street or alley so improved or proposed so to be, or the lands abutting upon such improvement and such other lands as in the opinion of the board may be benefited by the improvement. When the board shall determine to make any public improvement, such as laying pavements, constructing sewers, drains, sidewalks and crosswalks, curbing, macadamizing, oiling, graveling or grading any streets, avenues, or alleys or in any way improving the same, and shall determine to defray the whole or any part of the costs or expenses thereof by special assessment, they shall so declare by ordinance, stating the improvements and what part or proportion of the expenses thereof shall be paid by special assessments and what amount shall be paid out of the general fund, district street fund or any other fund.

SEC. 54. *When Portion Is Paid from City Funds.* When expenses for such improvements or repairs shall be assessed,

When portion is paid from city funds

and there shall be lands belonging to the city, or public ground not taxable, abutting on such improvements, such part of the expenses of such improvements as, in the opinion of the board or assessor making such special assessment, would be justly apportionable to such public grounds, and city property, and to any interior squares or spaces formed by the intersection of streets where the abutting property is taxable, shall be paid from the general fund or from the proper street or district street fund or partly from each, as the council shall determine to be just, and the balance of such expense shall be assessed upon the taxable lots and premises abutting upon such improvement or improved streets in proportion to their number of feet frontage; or, if the special assessment shall include other lands not abutting upon the improvement, then upon all the land included in such special assessment in proportion to the estimated benefits resulting thereto from the improvement. When such assessment is to be made upon the lots in proportion to their frontage upon the improvement, if, from the shape or size of any lot, the assessment thereon in proportion to its frontage would be unjust and disproportionate to the assessment upon other lots, the board or assessor making the assessment, may assess such lots or such number of feet frontage as in their opinion would be just.

Municipal buildings

SEC. 55. *Municipal Buildings.* The cost and expense of a city hall and other buildings for the use of the city, and its officers, engine houses and structures of the fire department, water works, city prison, levees and embankments, including the necessary land for such purposes, shall be paid for from the proper general fund of the city; except that, in case of lands apportioned for streets and rights of way, the cost thereof may be paid in whole or in part from the proceeds of a special assessment levied therefor in the manner herein prescribed. Whenever in the opinion of the board, the benefits thereof are special, rather than general or public, the cost and expense of any local improvements may be defrayed in whole or in part by special assessments upon the lands abutting upon the adjacent to or otherwise benefited by such improvement. Such special assessment may be made in the manner hereinafter specified.

Ordinance for special assessments

SEC. 56. *Special Assessments—Ordinance for.* When the board shall determine to make any public improvements or repairs, in the laying of pavements or constructing sidewalks or in any way improving the streets in the city, and shall determine to defray the whole or any part of the cost and expenses thereof by special assessment, they shall so declare by ordinance, stating the improvement and what part or portion of the expense thereof shall be paid by special assessment, and what part, if any, has been or is proposed to be appropriated from the general fund of the city, or from the street fund or district street fund, and whether the assessment is to be made according to benefits or frontage, and, in case the

assessment is to be made according to benefits, they shall by apt description designate the district including the lands to be so assessed; or in case there is no district so set apart they shall describe definitely the location of the improvement and state that the assessment is to be made upon all the lands, benefited thereby proportionately to the benefits received; but in case the assessment is to be upon the property upon a frontage basis, it shall be sufficient for said ordinance to so state and to define the location of the improvements to be made. It shall not be necessary in any case to describe minutely in the ordinance each particular lot to be assessed, but simply to so designate the property, district or the location that the various parts to be assessed can be ascertained and described by the city assessor.

SEC. 57. *Estimates First to Be Had.* Before ordering any public improvement or repairs as provided in the last preceding section, any part of the expense of which is to be defrayed by special assessment, the board shall cause estimates of the expense thereof to be made, and also plats and diagrams, when practicable, of the work and of the locality to be improved, and shall file such plats and diagrams with the city clerk for public examination; and they shall give notice thereof and of the proposed improvement, or work, of the location of the improvement, and of the district to be assessed, by publication for at least two weeks in some newspaper published in said city, by posting notices of the same, in at least three public places in each ward, and also by posting a notice in or near the postoffice of the city, and posting notices in three public places near the site of said proposed work. Said notices shall state the time when the board will meet and consider any suggestions and objections that may be made by parties in interest to the proposed improvements. Unless the owners of more than one-half of the frontage to be assessed shall file written objections thereto, such improvement or work shall be ordered.

Estimates for
public im-
provements

SEC. 58. *Special Assessments.* In all cases where the board of health or other officials of the city, or the board of commissioners are authorized to do, or cause to be done, certain things, the whole or any part of the cost of which may be properly defrayed by a special assessment, and where special provisions for making the levy are not herein made, the board may cause sworn statements of the cost and location thereof to be made as provided in section 61 hereof, and may refer the same to the assessor and have the same assessed against such property.

Special
assessments

SEC. 59. *Any Cost Over Twenty Per Cent of the Value of Property Paid by the City.* The cost and expense of any improvement which may be defrayed by special assessments shall include the cost of surveys, plans, assessments, and cost of construction. In no case shall the amount of any special assessment upon any lot or premises for any one improvement

Any cost
over 20 per
cent of value
of property
to be paid by
city

exceed twenty per cent of the value of such lot or premises as shown upon the latest tax list or assessment roll for state and county taxation. Any cost exceeding twenty per cent, which would otherwise be chargeable upon said lot or premises, shall be paid from the general funds of the city. The board shall provide that the fees and compensation properly charged in the work of making any special assessment shall be included as a part of such assessment.

Contract
must be
advertised

SEC. 60. *Must Be Advertised.* No contract for doing the work or making the improvement contemplated herein shall be made or awarded, nor shall the board incur any expense or liability in relation thereto, except for plats, diagrams, estimates and notices, until after the notice and hearing provided for herein shall have been given and had. But nothing herein contained shall be construed as preventing the board from advertising for proposals for doing the work whenever they see fit, provided the contract shall not be made or awarded before the time herein stated.

Pro rata
assessments

SEC. 61. *Pro Rata Assessments.* When a special assessment is to be made pro rata upon the lots or premises in any special assessment district, according to frontage or benefits, the board shall, by ordinance, direct such special assessment to be made by the assessor, and shall state therein the amount to be assessed, and whether according to frontage or benefits, and describe or designate the lots and premises or the locality constituting the district to be assessed; in fixing the amount or sum of money that may be required to pay the costs of any improvement, the board need not necessarily be governed by the estimates of the costs of such improvement provided for herein, but the board may fix such other sum, within the limits prescribed, as they may deem necessary to cover the cost of such improvement.

Assessment
roll

SEC. 62. *Assessment Roll.* Upon the passage of such ordinance the assessor shall prepare an assessment roll, entering and describing therein all lots, premises and portions of land to be assessed, with the names of the persons, if known, chargeable with the assessments thereon, and shall levy thereon the amount to be assessed in the manner directed by the board and the provisions of this act applicable to the assessment; *provided*, in all cases where the ownership thereof is unknown to the assessor, he shall in lieu of the name of the owner, insert the word "unknown"; *provided, also*, if by mistake or otherwise any person shall be improperly designated as the owner of any lot or premises, or if the same shall be assessed without the name of the owner, or in the name of a person other than the owner, such assessment shall not for that reason be vitiated, but shall, in all respects, be as valid upon and against such lot, parcel of land or premises as though assessed in the name of the owner thereof, and when the assessment roll shall have been approved, such assessment

shall become a lien on such lot, parcel of land or premises, and collected as provided by law.

SEC. 63. *Frontage Assessment.* If the assessment be made upon the basis of frontage, the assessor shall assess each lot or parcel of land with such relative portion of the whole amount to be levied as the length of front of such premises abutting upon the improvement bears to the whole frontage of all the lots to be assessed; unless on account of the shape or size of any lot or lots an assessment for a different number of feet would be more equitable; and the frontage of all lots to be assessed shall be deemed to be the aggregate number of feet as determined upon for assessment by the assessor. Frontage assessment

When According to Benefit. If the assessment is directed to be according to benefits, the assessor shall assess upon each lot such relative portion of the whole sum to be levied as shall be proportionate to the estimated benefit resulting to such lot from the improvement. When according to benefit

SEC. 64. *Assessor's Certificate.* When the assessor shall have completed the assessment he shall report the same to the board. Such report shall be signed by him and made in the form of a certificate endorsed on the assessment roll as follows: (Form) Assessor's certificate

STATE OF NEVADA, }
CITY OF LAS VEGAS. } ss.

To the Board of Commissioners of the City of Las Vegas: I hereby certify and report that the foregoing is the assessment roll, and assessment made by me pursuant to an ordinance of the board of said city, adopted (give date), for the purpose of paying that part of the cost which the board decided should be paid and borne by special assessment for paving street from street to street in said city (as the case may be), (or constructing a sewer on street), (as the case may be). That in making such assessment, I have, as near as may be, and according to my best judgment conformed in all things to the directions contained in the ordinance of the board hereinbefore referred to. Form of

Dated....., Nevada,....., A. D. 19.....
....., Assessor.

SEC. 65. *Certain Special Assessments.* When any expense shall be incurred by the city upon or in respect to any single lot, parcel of land or premises which, by the provisions of this act, the board is authorized to charge and collect as a special assessment against the same, and not being in that class of special assessments required to be made pro rata upon several lots or parcels of land, an account of the labor or services for which such expense was incurred, verified by the officer or person performing the services, or causing the same to be done, with a description of the lot or premises upon or in respect to which the expense was incurred, and the name of the owner or person, if known, chargeable therewith, shall be reported to the Certain special assessments

board. And the provisions of the previous sections hereof, with reference to special assessments generally and the proceedings necessary to be had before making the improvement, shall not apply to the assessments to cover the expense incurred, in respect to the class of improvements contemplated in this section.

Board to
determine

SEC. 66. *Board to Determine.* The board shall determine what amount or part of every expense shall be charged as a special assessment and the premises upon which the same shall be levied; and as often as the board shall deem it expedient they shall require all of the several amounts so reported and determined, and the several lots or premises chargeable therewith respectively to be reported by the city clerk to the assessor for assessment.

Notice to be
published

SEC. 67. *Notice of Assessment To Be Published.* Upon receiving the report mentioned in the preceding section the assessor shall make a special assessment roll and levy a special assessment therein upon each lot or parcel of land so reported to him, the whole amount or amounts of all charges so directed as aforesaid to be levied upon each of such lots or premises, respectively, and when completed he shall report the assessment roll to the board. When any special assessment shall be reported by the assessor to the board, as in this section directed, the same shall be filed in the office of the city clerk and numbered. Before adopting the assessment the board shall cause notice to be published for at least two weeks in some newspaper published in the city, after the filing of the same with the city clerk, and appointing a time when the board and assessor will meet to review the assessments.

Objection,
how made

Objecting to Assessment, How Made. Any person objecting to the assessment may file his objection thereto with the city clerk. The notice provided for in this section may be addressed to the persons whose names appear upon the assessment roll and to all others interested therein, and may be in the following form:

Form of
notice

Notice of Special Assessment

(Form of notice.) To (Insert the names of the persons against whom the assessment appears) and to all persons interested, take notice:

That the roll of special assessment heretofore made by the assessor for the purpose of defraying that part of the costs which the board decided should be paid and borne by special assessment for the (e. g. paving street to street in the city of Las Vegas) or (constructing a sewer on street between street and street) or (as the case may be) is now on file at my office for public inspection. Notice is hereby given that the board and the assessor of the city of Las Vegas will meet in the room in this city on (insert the date fixed upon) to review said assessment, at which time

and place opportunity will be given all persons interested to be heard.

Date _____, City Clerk.

SEC. 68. *Assessment Corrected, How.* At the time appointed for the purpose aforesaid the board and assessor shall meet and then or at some adjourned meeting review the assessments, and shall hear any objection to said assessments which may be made by any person deeming himself aggrieved thereby, and shall decide upon the same; and the board may correct the same as to any assessment or description of the premises appearing therein, and may confirm it as reported or as corrected, or they may refer the assessment back to the assessor for revision, or annul it and direct a new assessment, in which case the assessment shall be made anew. When a special assessment shall be confirmed the city clerk shall make an endorsement upon the roll showing the date of confirmation, which shall be in the following words:

Special assessment roll for the _____ (describing fully what the assessment is for) _____ approved by the board the _____ day of _____ (month), 19____.

Dated _____, City Clerk.

SEC. 69. *Assessment Roll.* When any special assessment roll is approved by the board it shall be final and conclusive. Said roll when so endorsed by the city clerk shall by *prima facie* evidence in all courts and tribunals of the regularity of all proceedings preliminary to the making thereof and of the validity of said assessment and assessment roll.

SEC. 70. *Special Assessments a Lien on Property.* All special assessments shall from the date of the approval thereof constitute a lien upon the respective lots or parcels of land assessed. Upon the approval of any assessment, the amount thereof may be divided into not more than four installments to be collected quarter-yearly, or one of such installments may be collected each year, at such time as the board may determine, with annual interest at a rate not exceeding seven per cent.

SEC. 71. *Special Assessments Due on Approval.* All special assessments, except such installments thereof as the board shall make payable at a future time, as provided in the preceding section, shall be due and payable on approval.

SEC. 72. *On Divided Property, How Apportioned.* Should any lots or lands be divided after a special assessment thereon shall have been approved and divided into installments and before the collection of the installments, the board may require the assessor to apportion the uncollected amounts upon the several parts of land so divided. The report of such apportionment when approved shall be conclusive on all the parties, and all assessments thereafter made upon such lots or lands shall be according to such subdivision.

When deficit
paid by city

SEC. 73. *When Insufficient, Deficit Paid by City.* Should any special assessment prove insufficient to pay for the improvement or work for which it is levied and the expense incident thereto, the amount of such deficiency shall be paid from the general fund in the treasury of the city; and in case a greater amount shall have been collected than was necessary, the excess shall be refunded ratably to those by whom it was paid.

New assess-
ment, when

SEC. 74. *New Assessment, When.* Whenever any special assessment shall, in the opinion of the board, be invalid by reason of any irregularity or informality in the proceedings, or if any court of competent jurisdiction shall adjudge such assessments to be illegal, the board shall, whether the improvement has been made or not or whether any part of the assessments have been paid or not, have power to cause a new assessment to be made for the same purpose for which the former assessment was made. All the proceedings for such reassessment and for the collecting thereof shall be conducted in the same manner as provided for the special assessment in this act.

Previous
payments,
how applied

SEC. 75. *Previous Payments, How Applied.* Whenever any sum or part thereof levied upon any premises in the assessment so set aside has been paid and not refunded the payment so made shall be applied upon the reassessment on said premises.

Special
assessment,
how enforced

SEC. 76. *Special Assessment, How Enforced.* When any special assessment shall be approved and payable the board may direct the city clerk to report to the assessor a description of such lots and premises as are contained in said roll, with the amount of the assessment levied upon each and the name of the owner or occupant against whom the assessment was made, and to require the assessor to levy the several sums so assessed as a tax upon the several lots or premises to which they were assessed respectively. Upon receiving such report the assessor shall levy the sums therein mentioned upon the respective lots and premises to which they were assessed as a tax in the general assessment roll next thereafter, to be made in a column for special assessments, and thereupon the amount so levied in said assessment roll shall be collected and enforced with the other taxes in the assessment roll, and in the same manner, and shall continue to be a lien upon the premises assessed until paid, and when collected shall be credited to the proper funds; *provided*, that at any time after the special assessment has become payable the same may be collected by suit in the name of the city in any court of competent jurisdiction. The special assessment roll and the certified ordinance or resolution approving the same shall be *prima facie* evidence of the regularity of the proceedings in making the assessment and of the right of the city to recover judgment therefor.

SEC. 77. *Irregularities, How Remedied.* If in such action provided for in the preceding section it shall appear by reason

of any irregularity or informality the assessment has not been properly made against the defendant, or the lot or premises sought to be charged, the court may, nevertheless, on satisfactory proof that the expense has been incurred by the city which is a proper charge against the defendant, or the lot or premises in question, render judgment for the amount properly chargeable against such defendant or upon such lot or premises. Irregularities, how remedied

SEC. 78. "*Taxpayer*" Defined. A "taxpayer," within the meaning of this charter shall be construed to be and include all persons whose names appear on the official tax roll for the current or the year preceding that in which the elector offers to vote. The judges or officers of election shall have power, and it is hereby made their duty in all cases of special elections on bonds or franchises, to require of each person offering to vote thereat, to show by the affidavit of such person that he possesses the qualifications prescribed; *provided*, that such judges or election officials may require further proofs for, as well as against, the right of any person to vote, when such right is challenged by a duly qualified elector. Taxpayer defined

SEC. 79. *In Effect*. This act shall take effect from and after its passage. In effect

CHAP. 133—*An act concerning public schools, and repealing certain acts relating thereto.*

[Approved March 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

CHAPTER 1

STATE BOARD OF EDUCATION

SECTION 1. The state board of education shall consist of the governor, the superintendent of public instruction, and the president of the university. State board of education

SEC. 2. The governor shall be the president, and the superintendent of public instruction the secretary of the board. Officers of board

SEC. 3. The board shall meet at the call of the secretary, but shall hold at least two meetings a year. Time of meeting

SEC. 4. The powers and duties of the board shall be as follows: Powers and duties of board

1. To prescribe and cause to be enforced the courses of study for the public schools; *provided*, that schools of the first class may have modified courses of study, subject to the approval of the state board of education;

2. To adopt lists of books for district libraries; *provided*, that boards of trustees in districts of the first class may make such adoptions;

3. To revoke or suspend for immoral or unprofessional conduct, evident unfitness for teaching, or persistent defiance of and refusal to obey the laws of the state, or the rules

and regulations of the state board or of the state superintendent defining and governing the duties of teachers, any state diploma or any state certificate;

Powers and
duties of
board

4. To have done by the state printer any printing required by the state board such as state courses of study, the proceedings of the teachers' institutes, blank forms, and such other matter as the state board may require; *provided*, that text-books are not included in such courses of study;

5. To adopt and use in authentication of its acts an official seal;

6. To keep a record of its proceedings which shall be published biennially in the report of the superintendent of public instruction;

7. To designate some monthly school journal as the official organ of the department of education. The publishers of such journal shall mail one copy of every number of such journal to the clerk of every school district in the state and shall file an affidavit with the superintendent of public instruction showing that such copies have been so mailed. The county treasurer of every county before notifying the superintendent of public instruction of the county fund to be apportioned in the July apportionment shall set aside an amount equal to one dollar for each and every school district of the county and this fund shall be known as the school journal fund. The amount certified to the superintendent of public instruction for apportionment shall not include the school journal fund so set aside. The superintendent of public instruction shall draw his orders annually in favor of the publishers of such school journal for an amount equal to one dollar for each and every school district in each county to which the school journal has been sent in accordance with this section, to be paid out of the school journal fund, and the county auditor shall immediately draw his warrant, in favor of the publishers of such journal, for an amount equal to that named in aforesaid order to be paid out of the school journal fund.

CHAPTER 2

SUPERINTENDENT OF PUBLIC INSTRUCTION

Election of
superintend-
ent of public
instruction

SEC. 5. The superintendent of public instruction shall be elected quadrennially by the qualified electors of the state at the same time and in the same manner as the governor is elected and shall hold office for the term of four years from the first Monday in January next after the election, and until his successor is elected and qualified.

Duties of
said officer

SEC. 6. The superintendent of public instruction shall have power and it shall be his duty:

Visit schools

1. To visit each county in the state at least once each year for the purpose of conducting institutes, visiting schools.

consulting with school officers, and addressing public assemblies on subjects pertaining to the schools; and the necessary traveling expenses incurred by the superintendent in performance of such duties, such traveling expenses to include the cost of transportation and board while absent from his place of residence, shall be allowed, audited and paid out of the general fund, in the same manner as claims upon said fund are now allowed, audited, and paid; *provided*, that the sum so expended in any one year shall not exceed one thousand dollars;

2. To apportion the state distributive school fund;

Apportion
school funds

3. To apportion the county school fund of each county among its various districts;

4. To report to the governor biennially, on or before the first day of December of the years preceding the regular session of the legislature. The governor shall transmit said report to the legislature; and whenever it is ordered published the state printer shall deliver a sufficient number of copies to the superintendent, who shall distribute the same among school officers of the state and of the United States. Said report shall contain a full statement of the condition of public instruction in the state; a statement of the condition and amount of all funds and property appropriated to the purpose of education, the number and grade of schools in each county; the number of children in each county between the ages of six and eighteen years of age; the number of such attending public schools; the number attending private schools; the number attending no schools; the number under six years of age; the number between eighteen and twenty-one years of age; the amount of public school moneys apportioned to each county; the amount of money raised by county taxation, district tax, subscription or otherwise, by any city, town, district, or county, for the support of schools therein; the amount of money raised for building schoolhouses; a statement of plans for the management and improvement of public schools; and such other information relative to the educational interests of the state as he may think of importance;

Report
biennially

5. To prescribe suitable rules and regulations for making all reports and conducting all necessary proceedings under this act and to furnish suitable blank forms for the same; to cause the same, with such instructions as he shall deem necessary and proper for the organization and government of schools, to be transmitted to the local school officers, who shall be governed in accordance therewith. He shall prepare a convenient form of school register for the purpose of securing accurate returns from the teachers of public schools, and shall furnish each school district in the state with such registers. He shall prepare pamphlet copies of the school law

Rules

and all amendments thereto, and shall transmit a copy thereof to each school trustee, school census marshal, and school teacher in the state;

**Teachers'
institutes**

6. To convene a state teachers' institute biennially in the even-numbered years in such place and at such time as he may deem advisable. It shall be his further duty to convene five district teachers' institutes in the various sections of the state biennially in the odd-numbered years in such places and at such times as he may deem advisable. He shall engage such institute lecturers and teachers as he shall deem advisable, and shall preside over and regulate the exercises of all state and district institutes. No institute shall continue less than four nor more than ten days. The expenses incurred in holding such institute shall be paid out of the state general fund; *provided*, that the amount for the state institute shall not exceed five hundred dollars nor the amount of any one district institute two hundred and fifty dollars and the state controller is hereby authorized and directed to draw his warrants for the same upon the order of the superintendent of public instruction. All teachers shall be required to attend the district institutes held in the supervision districts in which they may be teaching respectively, unless they shall be excused for good cause by the superintendent of public instruction, and without loss of salary for the time thus employed;

**County
institutes**

7. To call, with the approval of the board of county commissioners, a county teachers' institute in any county at such time and place as in his judgment will best subserve the educational interests of the county, and to preside over and regulate the exercises of the same. The expenses of such institute shall be paid out of the county general fund of the county in which such institute is held; *provided*, that the board of county commissioners shall authorize such institute upon the application of the superintendent of public instruction; *and provided*, that such expenses shall not exceed the sum of one hundred dollars. All teachers shall be required to attend any county institute held in the counties in which they shall be teaching respectively, unless excused for good cause by the superintendent of public instruction, and without loss of salary for the time thus employed;

**Meetings of
state board
of education**

8. To call meetings of the state board of education in January and June of each year, and at such other times as he shall deem proper or when two members of said board shall request a meeting;

**Nominate
deputies**

9. To nominate deputy superintendents of public instruction for appointment by the state board of education;

Other duties

10. To perform such other duties relative to the public schools as may be prescribed by law;

Printing

11. To have done at the state printing office any printing required in the performance of his duties;

12. To require a written report from each deputy superin-

tendent on the first day of October, the first day of January, the first day of April, and the first day of July of each school year. Such reports shall contain any information or facts that the superintendent of public instruction may require;

Reports of deputies

13. To arrange blank forms, including school registers, for teachers' contracts, and supply the same to school trustees and teachers;

Forms, etc.

14. The superintendent of public instruction shall, at the expiration of his term of office, deliver to his successor all property and effects belonging to his office and take a receipt for the same.

Deliver state property

CHAPTER 3

DEPUTY SUPERINTENDENTS OF PUBLIC INSTRUCTION

SEC. 7. The office of county superintendent of public schools either as a separate office or as an ex officio office shall be, and hereby is, abolished for all counties in this state on and after the thirty-first day of August, 1907; *provided*, that the ex officio county superintendent shall make the reports for the school year ending on the thirty-first day of August, 1907.

Office of county superintendent abolished

SEC. 8. Five educational supervision districts are hereby established as follows: District Number 1, comprising Elko County; District Number 2, comprising White Pine, Lander, Eureka Counties; District Number 3, comprising Humboldt and Churchill Counties; District Number 4, comprising Washoe, Storey, Ormsby, Douglas, Lyon, and Mineral Counties; District Number 5, comprising Lincoln, Nye, Clark, and Esmeralda Counties.

Educational districts established

SEC. 9. Upon the nomination of the superintendent of public instruction the state board of education shall, on or before the first Monday in May, 1911, and each fourth year thereafter, appoint one deputy superintendent of public instruction for each supervision district as herein provided for, and such appointee shall, at the time of his appointment and during his term of office, be a bona fide resident of the district for which he is appointed. Such appointee shall take office on the first Monday in September and shall serve for a period of four years, or until his successor shall have been appointed and shall have qualified; *provided*, that in case any nominee of the state superintendent is unsatisfactory to the board another nomination or nominations shall be made to the satisfaction of the board. In case a vacancy shall occur in the office of deputy superintendent of public instruction, the state board of education shall in like manner make an appointment for the unexpired term. The deputy superintendents of public instruction shall devote their entire time to school supervision and shall not engage in other work while holding this office.

Supervision districts

SEC. 10. Any person holding a teacher's certificate of high-school grade and who shall have had not less than forty-five months' successful experience in teaching, at least twenty

Qualifications of deputies

months of which shall have been in the State of Nevada, shall be eligible to appointment as deputy superintendent of public instruction, and no others shall be eligible to such appointment.

Duties of
deputies

SEC. 11. It shall be the duty of each deputy superintendent to visit each school in his district at least twice a year, to examine the records and observe the work of each school carefully, to advise with teachers as to organization, management and teaching, to inspect school buildings, libraries and apparatus, to confer with trustees and county officers as to the condition and needs of their schools, to hold teachers' meetings, to assist at state, district and county institutes, and otherwise advance the educational interests of his district. The deputy superintendent of public instruction shall act as deputy examiner at teachers' examinations, as member of the board of educational examiners and shall assist the state board of education in preparing courses of study. He shall attend the meetings of the state board of education to furnish information pertaining to the schools of his district when said board shall so order.

SEC. 12. Within his supervision district, each deputy superintendent shall have power and it shall be his duty:

Powers and
duties of
deputies

1. To file with the county auditor of each county a directory of all teachers who shall be entitled to draw salary from the state or the county funds, and to advise the county auditor from time to time of any changes or additions to such directory, and to file with the county auditor a directory of all qualified school trustees of each county. The county auditor shall not draw any warrant in favor of any teacher until he shall be officially informed by the deputy superintendent that such teacher is legally entitled to receive salary from the state or county school funds;

2. To investigate any claim against any school fund whenever a written protest against the drawing of a warrant in payment of said claim against any school fund shall be filed with the county auditor. If, upon investigation, the deputy superintendent of public instruction shall find that any claim against any school fund is illegal or unreasonably excessive, he shall notify the county auditor and the clerk of the board of trustees who drew the order for such illegal claim, stating the reasons in writing why such order is illegal or excessive, and the county auditor, if so notified, shall not draw his warrant in payment of such claim. If the deputy superintendent of public instruction shall find that any protested claim is legal and actually due the claimant, he shall authorize the county auditor to draw his warrant for such claim, and the county auditor shall immediately draw his warrant in payment of the claim;

3. To suspend the certificate of any teacher for a time not to exceed one year, who fails to attend any district or county

institute unless excused for nonattendance by the deputy superintendent; Powers and duties of deputies

4. To suspend the certificate of any teacher for any of the causes for which a certificate may be revoked by the state board of education;

5. To inspect the record books and accounts of boards of trustees, and to authorize and enforce an efficient method of keeping the financial records and accounts of the school district;

6. To inspect the school fund accounts of the county auditors of the several counties, and report the condition of the funds of any school district to the trustees thereof;

7. To grade the schools in his supervision district, in the month of July of each year, designating which schools are high schools, and which are elementary schools, and to keep record of such gradation in his office;

8. To appoint school trustees in all districts in which the qualified voters fail to elect.

SEC. 13. The compensation of each deputy superintendent of public instruction is hereby fixed at two thousand dollars per annum, and shall be paid out of the general fund of the state as the salaries of other state officers are paid. All claims for the traveling expenses, including the cost of transportation and cost of living, of each deputy superintendent of public instruction, while absent from their places of residence, together with necessary office expenses, shall be paid from the general fund of the state, whenever such claims shall be allowed by the state board of examiners; *provided*, that not more than eight hundred dollars shall be paid from the general fund of the state in settlement of claims for such traveling expenses of any deputy superintendent of public instruction during any one year, and not more than \$350 shall be paid from the general fund of the state in settlement of claims for such office expenses of any deputy superintendent of public instruction for any one year. Compensation of deputies

SEC. 14. The superintendent of public instruction shall confer upon the deputy superintendents such power and authority to act in his name as he shall deem proper; *provided*, such power and authority shall be in accordance with the laws of this state. Powers of deputies

SEC. 15. The state board of education shall adopt such rules and regulations further defining the powers and duties of the deputy superintendents of public instruction as shall, in its judgment, be needful to secure efficiency and coordination; *provided*, that such rules and regulations shall be in accordance with the laws of this state. Rules for deputies

SEC. 16. The state board of education shall, upon the recommendation of the superintendent of public instruction, have power to remove deputy superintendents of public Removal of deputies

instruction from office for evident unfitness or for conspicuous failure to perform the duties of said office.

CHAPTER 4

TEACHERS' CERTIFICATES

Certificates of teachers SEC. 17. All teachers' certificates and diplomas, except temporary certificates, shall be granted by the state board of education, and the state board of education shall grant only those classes and grades described in this act; *provided*, that the deputy superintendents of public instruction may issue temporary certificates; *provided, further*, that all teachers' certificates previously issued by legally constituted authorities shall remain valid for the time and under the conditions of the original issue unless revoked in accordance with law. In case of the renewal of any grammar-grade certificate now in force an elementary certificate of the first grade shall be issued instead of the grammar-grade certificate.

Examinations, when held SEC. 18. Examinations for teachers' certificates shall be held in the several counties in this state semiannually, during the months of June and December of each year; *provided*, that the interest of the schools shall require such examinations. The state board of education shall give at least sixty days' notice of the time and places of holding the examinations; *provided*, that the dates of holding the regular semi-annual examinations shall be uniform throughout the state and no examination shall continue for more than four days. The state board of education shall make provision for such other examinations at such times and places as in its judgment the public interest may require.

Deputy examiners; compensation SEC. 19. All examinations for teachers' certificates shall be conducted by deputy examiners, who shall act under the authority of the state board of education. It shall be the duty of the deputy examiners to send all examination papers to the superintendent of public instruction without grading them. The deputy superintendents of public instruction shall act as deputy examiners in such counties in their respective districts as shall be designated by the superintendent of public instruction, and the deputy superintendent of public instruction shall appoint in addition a sufficient number of deputy examiners to provide for all the counties of the state; *provided*, that there shall not be more than two such deputy examiners in any one county. Deputy examiners other than the deputy superintendents of public instruction shall receive a compensation of five dollars a day, to be paid as other claims out of the state general fund. The state board of education shall prescribe such rules and regulations governing examinations as may be needful to secure uniformity and justice.

Regulations regarding questions SEC. 20. The questions used for written work in teachers' examinations shall be prepared by the state board of education, and shall be uniform throughout the state. Such exam-

ination questions shall be forwarded to the various deputy examiners throughout the state by the superintendent of public instruction, so as to reach their destination immediately before the date set for the examination. Such questions shall be sent under the seal of the state board of education, the questions on each subject being under separate seal, and no questions shall be opened by any deputy examiner or other person, until the day and the hour set for the use of such questions, and this time shall be plainly specified under each seal.

SEC. 21. It shall be unlawful for any person to sell or offer for sale, or buy or offer to buy, or to distribute, or to have in his or her possession, except as authorized by this act, any printed or written examination questions prepared for any examination to be held for the purpose of testing the qualifications of persons desiring to be admitted to the practice of any of the professions in this state in which it is required that such person be examined as to their qualifications, or any printed or written examination questions prepared for teachers' examinations for certification of teachers in this state, or of any printed or written examination questions prepared for the final examination of students in any of the schools of this state prior to the time for holding such examination.

Unlawful use
of questions

SEC. 22. Any person selling or offering to sell, buying or offering to buy, distributing or having in his or her possession any such examination questions contrary to section 21 of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in the sum of not less than \$25 nor more than \$100, or imprisonment in the county jail for not less than ten days nor more than six months; *provided*, that the provisions of this act shall not be construed to prevent the proper officials or instructors whose duty it is to conduct the said examination referred to in section 21 of this act from having in their possession printed or written copies of such examination questions; *provided, further*, that the state printer shall have the care and custody of such examination questions while they are in process of being printed.

Penalty for
unlawful use
of questions

SEC. 23. Teachers' certificates in this state shall be:

High school, authorizing the holder thereof to teach in any high school or elementary school in the state;

Grades of
certificates

Elementary, authorizing the holder thereof to teach in any elementary school in the state;

Special, authorizing the holder to teach such special branch or branches of learning, and in such grades as are named in the certificate;

Temporary, authorizing the holder to teach such branches of learning and in such grades and school districts as are named in the certificate.

SEC. 24. The high-school certificate shall be valid for four years from the date of issuance and shall be issued upon

High-school certificate examination in the following subjects: English grammar, spelling, arithmetic, English literature, general history, history of the United States, civil government, algebra, plane geometry, physics, history and methods of teaching. Any one of the following foreign languages: Latin, French, German, Spanish; and any three of the following additional subjects: Rhetoric, English history, solid geometry, physical geography, chemistry, botany, and zoology; *provided*, that no high-school certificate on examination shall be issued to any person whose general average is less than ninety per cent; *and provided further*, that such certificate shall not be issued to any person under twenty years of age. The high-school certificate may be renewed by the state board of education according to such rules and regulations as the board may prescribe.

SEC. 25. The elementary school certificate, first grade, shall be valid for three years from the date of issuance, and shall be issued upon examination in the following subjects: Spelling, reading, writing, English grammar, mental arithmetic, written arithmetic, physiology and hygiene, history of the United States, geography, general history, drawing, music, business forms, and theory and methods of teaching; *provided*, that no such certificate shall be issued on examination to any person whose general average is less than eighty-five per cent or whose grade is less than sixty-five per cent in any one subject. The elementary certificate, first grade, shall not be issued to any person under twenty years of age, nor to any person who has had less than sixteen months of successful experience in teaching. Such certificate may be renewed by the state board of education according to such rules and regulations as the board may prescribe. Any person who shall at any regular examination make a grade of eighty-five per cent or more in any subject or subjects shall receive credit for such subject or subjects toward a first-grade elementary certificate; *provided*, that no such credits shall be held for a period of more than two years.

SEC. 26. The elementary certificate, second grade, shall be valid for two years from the date of issuance and shall be issued upon examination in all subjects required for the first-grade elementary certificate; *provided*, that no second-grade elementary certificate on examination shall be issued to any person whose general average is less than seventy-five per cent or whose grade is less than sixty per cent in any one subject. In no case shall an elementary certificate of the second grade be renewed.

CERTIFICATION

SEC. 27. The state board of education shall have power, after the regular teachers' examination in December, and before the next regular examination is held, to grant third-grade elementary certificates to applicants who took the

December examination, and who are actively engaged in teaching in Nevada; *provided*, that a third-grade elementary certificate shall entitle the holder to teach in the school in which she was engaged as a teacher at the time of the December examination, and in no other school, for a period not longer than until the next regular examination of teachers; *provided, further*, that but one third-grade elementary certificate shall be granted to the same person.

SEC. 28. The state board of education may grant a life diploma to any resident of the State of Nevada who shall present evidence of having taught successfully and continuously for a period of seventy-two months, thirty-six of which shall have been in the State of Nevada. A life diploma granted under this section shall be of the same grade as the certificate held by the applicant at the time of the application for the diploma and shall entitle the holder thereof to teach in any school in the State of Nevada of a grade corresponding to the grade of the certificate upon which the life diploma was granted; *provided*, that no life diploma shall be granted upon a nonrenewable certificate.

Life diplomas

SEC. 29. High-school certificates, good for five years, shall be issued to graduates of the Nevada State Normal School, advanced course. First-grade elementary certificates, good for five years, shall be issued to graduates of the Nevada State Normal School, elementary course. To the graduates of the Nevada State Normal School who hold high-school certificates, the state board of education shall grant a life diploma of high-school grade when said graduates shall have completed at least forty-five months of successful teaching in public schools. To all graduates of the Nevada State Normal School who hold a grammar-school certificate, the state board of education shall grant a life diploma of the grammar grade when said graduates shall have completed at least forty-five months of successful instruction in public schools.

Different certificates to certain graduates of Nevada State Normal School

SEC. 30. Graduates of universities, colleges, and normal schools supported by state appropriations, approved by the state board of education, shall be permitted to submit their credentials from such institutions, and to the extent that these credentials give evidence of scholarship and professional preparation they shall be accepted in lieu of examination; *provided*, that no certificate of the elementary grade shall be granted upon any credentials not equivalent to a diploma of graduation from the Nevada State Normal School; *and provided further*, that no high-school certificate shall be granted upon any credential not equivalent to a diploma of graduation from a science course or the liberal arts course of the University of Nevada, together with the required training in educational subjects.

Other graduates privileged

SEC. 31. Any teacher holding a life certificate from another state shall be permitted to submit such certificate as evidence of his or her fitness for teaching, and if the state board of

Life certificates of other states

education shall be satisfied that the state which issued such certificate maintains a high professional standard, said board may issue a certificate for teaching in this state of such grade as it shall deem proper. Such credentials should be forwarded to the superintendent of public instruction, Carson City, Nevada.

All papers
graded by
board of
educational
examiners

SEC. 32. All examination papers for teachers' certificates shall be examined and graded under the authority of the state board of education by the board of educational examiners which shall consist of at least one member of the state board of education, the deputy superintendents of public instruction, and such other persons, not to exceed three in number, as may be appointed by the superintendent of public instruction. The board of educational examiners shall certify the grade of each applicant in each subject to the state board of education. Persons appointed by the superintendent of public instruction as members of the board of educational examiners shall receive compensation at the rate of five dollars a day for the time actually employed in such service, to be paid out of the state general fund in the usual manner.

Special
certificates

SEC. 33. The state board of education shall grant special certificates valid for teaching music, drawing, manual training, penmanship, commercial subjects, kindergarten work, or any specified foreign language, provided that it shall be satisfied that the applicant is qualified to teach such special subject. The board shall determine as to the fitness of the applicant by whatever method shall appear to be most appropriate. Such certificate shall be valid for two years. A special certificate shall entitle the holder to teach only the subject or subjects mentioned in the certificate.

Temporary
certificates;
restriction

SEC. 34. The deputy superintendent of public instruction may, at his discretion, issue temporary certificates without examination; *provided*, that such certificate shall be issued upon request of the board of school trustees of a school district in this state, and that such certificate shall be valid only in the district from which the request is made, and such certificate shall be valid only until the next teachers' examination held in the county in which such person shall be teaching. If any member of the board of school trustees making the above-mentioned request is a member of the family or a near relative of the applicant, the certificate shall not be granted. Not more than one temporary certificate shall be granted to any one person.

Age limit

SEC. 35. No certificate authorized by this act shall be issued to any person under eighteen years of age.

CHAPTER 5

POWERS AND DUTIES OF TEACHERS

SEC. 36. No teacher shall be entitled to receive any portion of the public school moneys as compensation for services

rendered, unless such teachers shall have been legally employed by the board of trustees, nor unless such teacher shall have a certificate issued in accordance with law, in full force and effect at the time such service is rendered, nor unless such teacher shall have made a full and correct report, in the form and manner prescribed by law, to the superintendent of public instruction and to the board of school trustees.

Teacher must be legally employed

SEC. 37. The superintendent of public instruction and the deputy superintendents of public instruction are hereby authorized to administer the oath (or affirmation) to teachers and all other oaths (or affirmations) relating to public schools.

School officer may administer oath

SEC. 38. Each and every teacher employed in this state, whose compensation is payable out of the public funds, shall take and subscribe to the oath as prescribed by the fifteenth article of the state constitution before entering upon the discharge of the duties of such teacher. Such oath, when so taken and subscribed to, shall, if that of a teacher in the state university, be filed in the office of the board of regents; if of any other class of teachers, the same shall be filed in the office of the superintendent of public instruction.

Teachers to take official oath

The oath is as follows:

I, do solemnly swear (or affirm) that I will support, protect and defend the constitution and government of the United States, and the constitution and government of the State of Nevada, against all enemies, whether domestic or foreign, and that I will bear true faith, allegiance, and loyalty to the same, any ordinance, resolution or law of any state convention or legislature to the contrary notwithstanding. And further that I will well and faithfully perform all the duties of teacher on which I am about to enter (if an oath); "so help me God"; (if an affirmation) "under the pains and penalties of perjury."

Form of oath

Sworn and subscribed to before me a of the County of and State of Nevada, this day of, Anno Domini 191.....

SEC. 39. Every teacher in the public schools shall:

1. Upon opening school in any school district file with the deputy superintendent of public instruction, a Nevada teachers' certificate entitling the holder to teach the school in the district in which he shall be hired, together with the oath of office, and any other report that the superintendent of public instruction shall require. The deputy superintendent shall acknowledge the receipt of each teacher's certificate and shall make proper record of the same in his office. The teacher's certificate shall remain on file in the office of the deputy superintendent until the teacher's final report shall be received in his office;

Duties of teacher enumerated

2. One week before closing the school, make a final report in the manner and on the blank forms prescribed by the superintendent of public instruction. The final report shall include all required statistics and information for the entire

Duties of
teacher
enumerated

school year, notwithstanding any previous report for a part of the year. The teacher shall make estimates of the statistics and information for the last week in order to close the final report. Upon receipt of the teacher's final report, the deputy superintendent shall, if he approve such report, notify the clerk of the school district from which the report comes that the teacher's final report has been received, and the clerk of the board shall then draw the trustees' order in payment for the teacher's last month's salary. Any trustees' orders drawn in violation of the provisions of this act shall be illegal;

3. Keep record of all scholars attending school in accordance with the registers prescribed by the superintendent of public instruction, and teachers shall make reports of such records at such times and to such persons as the superintendent of public instruction shall designate. All school registers shall be delivered to the board of trustees at the close of every school term;

4. Enforce the state course of study, or the city course of study (as the case may be), the use of the legally authorized text-books, and the rules and regulations prescribed for teachers and schools;

5. Hold pupils to a strict account for their conduct on the way to and from school, on the playground, and during any intermission; *provided, however*, that no school teacher or principal, or board of trustees, shall expel or suspend any pupil under the age of fourteen years for any cause without first securing the consent of the deputy superintendent of public instruction.

CHAPTER 6

SCHOOL TRUSTEES

Board of
trustees a
body corpo-
rate

SEC. 40. The trustees of a school district shall constitute a board for such district and such board is hereby created a body corporate.

Property
held by trust-
ees as corpo-
ration

SEC. 41. All property which is now vested in, or shall hereafter be transferred to the trustees of a district, for the use of schools in the district, shall be held by them as a corporation.

Number of
trustees

SEC. 42. School districts having fifteen hundred or more school children, as shown by the last preceding school census, shall have five trustees; other districts shall have three trustees.

ELECTION OF TRUSTEES

Election of
trustees

SEC. 43. An election of school trustees shall be held in each school district of the state on the first Saturday in April, nineteen hundred and ten, and on the same day every two years thereafter. At such elections, three trustees shall be elected in any district having fifteen hundred or more school census children, as shown by the last preceding census, two for four years and one for two years; and two trustees shall

be elected in every other district, one for four years and one for two years.

SEC. 44. In any school district having for the first time fifteen hundred school census children, as determined after the election of trustees in any year, there shall be elected at the next ensuing school trustee election two trustees for four years and two trustees for two years, to bring such district to the five-trustee basis; and in any district falling below such number, as determined after a school trustee election, there shall be elected at the next ensuing trustee election one trustee for four years, to bring such district to the three-trustee basis.

Number of trustees, how determined

SEC. 45. Three inspectors of election and such other officers as may be necessary, shall be appointed by the school trustees in each district; *provided*, that respecting all questions that come before said election boards, the inspectors only shall determine the same. If the trustees fail to appoint the election officers, or if they are not present at the time of opening the polls, the electors present may appoint them. All such officers shall serve without compensation; *provided*, that in school districts of the first class, the inspectors and a clerk of election may be allowed compensation not to exceed four dollars each for services at such election, said compensation to be paid from the district school funds.

Election officers, how appointed

If two or more polling places are kept open in districts of the first class, three inspectors and one clerk shall be appointed for each polling place, and each such officer shall be allowed compensation not to exceed four dollars.

SEC. 46. Not less than ten days before the election held under the provisions of this act, the trustees in each district shall post notices in three public places in the district, which notices shall specify that there will be an election held at the schoolhouse in such district and the hours between which the polls will be kept open. In districts of the first class the polls shall be kept open between the hours specified by the board of trustees and in districts of the second class the polls shall be kept open between the hours of 1 o'clock p. m. and 5 o'clock p. m. If the trustees shall have failed to post notices as required by this section, then any three electors of the district may, within five days of the day of election, give notice of such election, which notices shall be sufficient for the election required by this act, and in such case no registration shall be necessary, but all the other provisions of this act shall be enforced; *provided*, that in districts of the first class as many different polling places may be kept open as there are schoolhouses in the district, and the trustees may decide in what buildings the election shall be held; but in such cases, the trustees must specify, in the election notice, the particular buildings in which polling places will be held.

Notice of election to be posted

Hours of election

SEC. 47. No person shall be allowed to vote at any school election unless he is a resident of the district and his name

Qualification for voting

appears upon the official registry list of the voting precinct or precincts including the district for the last preceding general election; *provided*, that any citizen of the United States who shall have resided in this state six months, and in the school district thirty days next preceding the day of election, and whose name is not upon the said official registry list, may apply to the clerk of the board of school trustees, or to a person authorized by the trustees of the district to act as registry agent, not more than eight nor less than five days prior to the day of election, to have his name registered.

Registration
regulations

Form of oath

SEC. 48. It shall be the duty of the clerk of the board of school trustees, or the person appointed by the board of school trustees, as the case may be, to register any qualified voter of the school district who may apply to be registered under the provisions of the preceding section; *provided*, that if the person applying to be registered be unknown to the registry agent, or his qualifications for voting be unknown, he shall, before having his name registered, be required to subscribe to the following oath: "You do solemnly swear that you are a citizen of the United States; that you are twenty-one years of age; that you will have resided in the state six months and in this school district thirty days next preceding the day of the school election." False swearing under the provisions of this section shall be deemed perjury and punished as now provided by law.

List of voters

SEC. 49. No person shall be entitled to vote under the provisions of this act except he be registered as herein provided. The board of school trustees shall prepare, or cause to be prepared, or obtain a list, certified or sworn to as being correct, of the names of all persons entitled to vote at the school election as herein provided, which said list shall be completed at least three days prior to the day of election, and shall be under the charge of the clerk of the board of school trustees and subject to the inspection of any qualified voter in the district.

Preparation
of list of
voters; com-
pensation

SEC. 50. The board of school trustees in all districts having a voting population of fifty or more, are authorized to employ a competent person to prepare said list of qualified voters and to pay for the work out of the school fund of the district, in a manner as other claims against the district are allowed and paid, a reasonable sum, not exceeding five cents a name for each qualified voter, providing that the total amount to be allowed shall not exceed fifty dollars. The list so prepared shall be sworn to by the person making the same as correct according to his best knowledge, information and belief.

List deliv-
ered to
inspectors

SEC. 51. The list of qualified voters, as hereinbefore described, shall be delivered to the inspectors of election prior to the time of opening the polls on the day of election, and no person shall be entitled to vote at the election whose name is not on said list; *provided*, that any person whose name is left off said list by mistake, design, accident, or otherwise, may

have his name placed thereon by the inspectors of election upon satisfactory proofs being presented of his having previously been registered in accordance with the provisions of this act.

SEC. 52. The voting shall be by ballot, either written or printed, and when two or more trustees are to be elected for different terms, the ballot shall designate such term as "long term" and "short term," respectively.

Voting shall be by ballot

SEC. 53. In all school districts having a voting population of one hundred or over, the board of school trustees shall have printed ballots of uniform size containing the names in alphabetical order, of all persons candidates for the office of school trustee. There shall be twice as many ballots printed as there are voters in the district, and no ballots other than those furnished by the board of school trustees shall be voted.

Ballots, number of; what to contain

SEC. 54. A person desiring to vote shall, if his name be upon the registry list as herein provided, receive from the board of election or some member thereof, and from no other person, a ballot upon which he shall designate his choice for trustee or trustees to be elected in the district, by placing a cross thus: X, opposite and to the right of the name of the person for whom he intends to vote.

How to vote

SEC. 55. There shall be placed on the ballots, in addition to the names of the candidates, such information as the board of trustees may deem necessary to inform the voter how to mark his ballot, such as: "Place a cross thus: X, opposite and to the right of the name of the candidate for whom you wish to vote," "vote for one," "vote for two," etc.

Instructions as to voting

SEC. 56. No person, other than the board of election or a police officer in the discharge of his duty, shall be allowed within one hundred feet of the polls, except when actually engaged in voting or in going to or from the polls for the purpose of voting or of challenging the vote of another, and excepting all persons in attendance upon any school which may be in session in the building. No person shall show his ballot to another while marking it or after marking it so as to disclose for whom he has voted, but he shall, as soon as possible after marking it, fold it so that the marking will be on the inside and return it to the board of election to be counted. Wilful violation of any of the provisions of this section shall constitute a misdemeanor, punishable by a fine not exceeding fifty dollars, or imprisonment in the county jail not exceeding twenty-five days, or by both such fine and imprisonment.

Not allowed at polls; misdemeanor

SEC. 57. No person shall receive assistance in marking his ballot unless physically unable to mark it and then only by permission of the board of election. A voter spoiling his ballot may procure another by delivering the spoiled ballot to the board of election.

Assistance in marking ballot, when allowed

SEC. 58. Any registered person offering to vote may be challenged by any elector of the district, and the judges of election must thereupon administer to the person challenged

Challenge

an oath in substance as follows: You do swear that you are a citizen of the United States; that you are twenty-one years of age; that you have resided in this state six months, and in this school district thirty days next preceding this election, and that you have not voted before this day. If he takes the oath prescribed in this section his vote shall be received, otherwise his vote must be rejected. Illegally voting under the provisions of this act shall be punished the same as the law now provides for punishing offenses of this character.

Illegal voting
punished

SEC. 59. In school districts having a voting population of one hundred (100) or over, candidates for the office of school trustee shall, not later than five days before the day of election, have their names filed with the county clerk of said county, with designation of the term of office for which they are candidates, and no names shall be placed upon the ballots unless filed within the time herein provided.

Candidates
to file names
with county
clerk

SEC. 60. The board of election in districts of the first class shall keep a poll list and tally sheet, which, together with the registry list and all ballots cast, shall be delivered to the county clerk upon the count being completed, and such returns shall be kept as the law now provides for keeping returns of general elections; but in districts of the second class, said poll list, tally sheet, registry list and all ballots cast, upon the count being completed, shall be delivered to the deputy superintendent of public instruction and kept on file in his office. After the completion of the count at each polling place in districts of the first class using more than one polling place, the election board of each polling place shall meet at a place designated by the board of trustees and there summarize all votes cast in the district and make out the election certificates.

Duty of elec-
tion board on
completion
of count

SEC. 61. The election board shall issue certificates of election to those receiving the greatest number of votes cast in accordance with the provisions of this act, specifying the number of years for which each is elected; and the election board shall immediately send by mail a copy of each election certificate to the deputy superintendent of public instruction.

Certificates
of election

SEC. 62. Trustees elected under this act shall take office on the first Monday in May following their election.

Terms of
office

SEC. 63. On the fourth Saturday after the occurrence of any vacancy or vacancies in any board of school trustees, an election may be held to elect a trustee or trustees for the remainder of the unexpired term or terms. Such elections shall be conducted in accordance with the law now in effect for the election of public school trustees; *provided*, that the remaining members or member of the board may serve as a full board for the purpose of making all required preliminary arrangements for conducting said elections to fill said vacancies.

Vacancies,
how filled

SEC. 64. In case the voters fail to elect, or in case no election is held, as provided in the preceding section, the deputy

Deputy to
fill vacancies

superintendent shall fill all vacancies occurring in said board of trustees.

SEC. 65. It shall be the duty of the board of trustees, a majority of whom shall constitute a quorum for the transaction of business, to meet on the first Monday in May following their election, or as soon as practicable thereafter, after taking the oath of office, at such place as may be most convenient in the district, and to organize by electing one of their number president of the board and another as clerk. It shall be the duty of the president to preside at the meetings of the board. It shall be the duty of the clerk to record the proceedings of the board in a book to be provided for the purpose; and all such proceedings, when so recorded, shall be signed by said clerk. Said book shall at all times be subject to the inspection of the deputy superintendent of public instruction and of any taxpayer in the district. In districts having a school census population of three hundred or more and not exceeding one thousand the clerk of the board of trustees may receive such salary as said board may allow; *provided*, that such salary shall not exceed ten dollars per month; *provided*, that in districts having a school census population of one thousand or more the clerk of the board of trustees shall receive not to exceed fifty dollars.

Meetings of trustees

Duties of clerk

Compensation

SEC. 66. No action of the board of school trustees in any school district shall be valid unless such action shall receive the approval of a majority of the members of such board at a regularly called meeting. The clerk of the board shall give notice of each meeting to each member of the board of school trustees, specifying the time, place and purpose of each meeting; *provided*, that if all members of such board are present at such meeting the lack of such notification shall not invalidate its proceedings.

Majority vote to legalize action

In all school districts in which there are not less than three hundred school census children, as shown by the last preceding school census report, the board of school trustees shall hold a regular meeting at least once each month, at such time and place as it shall determine, and public notice of such meeting shall be given in one or more newspapers published in such district; *provided*, that such notices can be published without cost to the district.

SEC. 67. School trustees shall have the power and it shall be their duty:

1. To buy or sell any schoolhouse or schoolhouse site directed to be bought or sold by a vote of the heads of families of the district; *provided*, that in districts in which there shall be fewer than ten such heads of families, no schoolhouse or schoolhouse site shall be sold without the approval of the deputy superintendent of public instruction;

Powers and duties of school trustees

2. To build, purchase, or rent schoolhouses when directed to do so by a vote of the heads of families, and to equip and supply the same with all things necessary for the successful

Powers and
duties of
school
trustees

operation of the schools of the district. The trustees, without such vote, shall make necessary repairs on any school buildings when the expense of such repairs will not exceed five hundred dollars; *provided*, that in districts of the first class the trustees may make all necessary repairs without a vote of the electors. No public schoolhouse shall be erected in any school district until the plan of the same has been submitted to and approved by the deputy superintendent of public instruction. The county auditor shall draw no warrant in payment of any bill for the erection of such new schoolhouse until notified by the deputy superintendent of public instruction that the plans for the said new schoolhouse have received his approval;

3. To change the location of schools or schoolhouse sites; *provided*, that in districts in which there shall be fewer than ten heads of families, no school or schoolhouse site shall be changed without the approval of the deputy superintendent of public instruction;

4. To call meetings of the heads of families of the school district in order to secure by vote the authority to procure or sell schoolhouse sites, or to erect, purchase, sell, hire, or rent schoolhouses for the use of the district. Whenever the trustees shall decide to hold such meeting, they shall give at least ten days' notice by posting at least three notices of such meeting in three conspicuous places within the district. One of such notices shall be posted on the school grounds. The notices shall contain the time, place, and purpose of the meeting. The president of the board shall call such meeting to order and shall preside over the deliberations of the same. The clerk of the board shall keep a record of the proceedings of such meeting in a book kept especially for that purpose. In case of the absence of either the president or the clerk of the board at such meeting, the heads of families assembled shall proceed to elect a president pro tem and a temporary clerk. All questions placed before the meeting shall be determined by ballot or by taking the "ayes" and "noes" as the meeting shall decide;

5. To manage and control the school property within their districts, and pay all moneys collected by them, from any source whatever, for school purposes, into the county treasury, to be placed to the credit of the county fund of their district;

6. To cause to be erected at least two suitable and convenient privies for each of the schools under their charge, which shall be entirely separate each from the other, and have separate means of access and approaches thereto. In case of failure or neglect on the part of the trustees to provide privies in accordance with the provisions of this section, the deputy superintendent of public instruction shall have power and it shall be his duty to cause such privies to be built, and to pay for the same by drawing his order on the county auditor on the funds of the district, and the auditor shall draw his

warrant upon the county treasurer in payment of the same:

7. To prescribe and enforce rules, not inconsistent with law or those prescribed by the state board of education, for their own government and government of schools, and to transact their business at regular or special meetings, called for such purpose, notice of which shall be given each member:

Powers and
duties of
school
trustees

8. To keep the public school buildings in their charge in such repair as is necessary for the comfort and health of pupils and teachers, and in case of neglect to do so, the deputy superintendent of public instruction shall have power and it shall be his duty to cause such needed repairs to be made, and to pay for the same by drawing his order upon the county auditor on the funds of the district, and the auditor shall draw a warrant upon the county treasurer in payment of the same; *provided*, that the cost of such repairs shall not exceed fifty dollars;

9. To have the custody and safe keeping of the district schoolhouses, their sites and appurtenances;

10. To insure the schoolhouses, furniture and school apparatus in some company authorized by law to transact business in the State of Nevada, and to comply with the conditions of the policy;

11. To employ legally qualified teachers, to determine the salary to be paid and the length of the term of school for which teachers shall be employed, embodying these conditions in a written contract to be signed by the president and the clerk of the board or by a majority of the trustees and the teacher, and a copy of the said contract properly written shall be delivered to each teacher at the opening of the term of school; *provided*, that the trustees shall not have the right to employ teachers for any term of service commencing after the time for which any member of the board of trustees was elected. The salaries of teachers shall be determined by the character of the service required, and in no district shall there be any discrimination in the matter of salary as against female teachers; *provided*, that it shall be unlawful for the board of trustees of any school district to employ any teacher not legally qualified to teach all the grades of the school for which such teacher is engaged to teach;

12. To pay toward the salaries of legally qualified teachers the public moneys apportioned to districts for such purpose by giving them orders therefor on the county auditor;

13. To provide at least six months of free school in the district under their charge. If at any time the deputy superintendent of public instruction shall find that the state and county moneys to which any district is entitled are not sufficient for the completion of a term of school of at least six months during the current school year, he shall immediately certify that fact and information to the clerk of the board of the said district. Upon the receipt of such information, the clerk shall immediately notify the other members of the

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duties of
school
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board, and they shall, as soon as possible thereafter, meet and levy a district tax upon the taxable property of such district sufficient to raise an amount of money which will insure the completion of at least six months of school in that school year. Immediately after the trustees shall have made the levy provided herein, the clerk of the board shall notify the county commissioners and the deputy superintendent of public instruction of its action. The said notice shall contain the statement of the amount of money to be raised by such district tax. The county commissioners shall ascertain the necessary percentage on the property of said district as shown by the last assessment made thereof after equalization, to raise the amount of money voted and they shall add it to the next county tax to be collected on the property aforesaid, and the same shall be paid into the county treasury and shall be added to and become a part of the county fund of that district, and shall be drawn in the same manner as other school moneys.

The tax provided herein shall be assessed, equalized, and collected in the same manner prescribed for assessing, equalizing, and collecting the taxes voted for furnishing additional school facilities in section 141 of this act.

If for any reason the trustees shall fail to provide the necessary funds to insure the completion of at least six months of school in any school year, when notified by the deputy superintendent of public instruction that such action is necessary on their part, as provided in this act, then the deputy superintendent of public instruction shall himself notify the county commissioners and the county auditor of the deficiency in funds for the district in question, and he shall make an estimate of the amount of money necessary to be raised, and the commissioners shall proceed to assess, equalize, and collect this amount as though the trustees themselves had made the levy as provided in this act;

14. To maintain at least eight months of school in the school district during each and every school year; *provided*, there is sufficient money to the credit of the district to pay the expenses of maintaining the said eight months of school.

Whenever there shall be sufficient money to the credit of any school district to pay the expenses of maintaining a school for eight months in any school year, and the trustees shall for any reason neglect to provide for the said eight months of school, the deputy superintendent of public instruction shall take such steps as may be necessary to prolong and maintain the said school for at least eight months. He shall draw his order on the county auditor and the county auditor shall draw his warrant on the county treasurer in payment of all expenses incurred in prolonging school as provided in this section;

15. To administer all oaths pertaining to teachers, census marshals, and school trustees, whether of the same school district or of any other school district in the State of Nevada;

provided, that in districts of the first class, the city superintendent may administer the oath of office to teachers in their respective districts;

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school
trustees

16. To provide books for the indigent children, desk text-books for the teachers, and record-books for the district, and to pay for the same out of the county school moneys belonging to their district;

17. To divide the public schools within their district into kindergarten, primary, grammar, and high-school departments, and to employ competent and legally qualified teachers for the instruction of the different departments whenever they shall deem such division into departments necessary; *provided*, that such division into departments shall be in accordance with the state courses of study and all rules and regulations of the department of education; *and provided further*, that there shall be means for all such departments, and if not, then the division shall be in the order in which they are herein named, excepting the kindergarten department, which shall not be considered as taking precedence over any other department; *and provided also*, that the kindergarten department shall not be established in any school district having a school census population of less than one hundred;

18. To suspend or expel from any public school within their district, with the advice of the teachers and deputy superintendent of public instruction, any pupil who will not submit to reasonable and ordinary rules of order and discipline therein, and to exclude from school all children under six years of age when the interests of the school requires it to be done; *provided, however*, that under no circumstances shall any school teacher or principal, or board of trustees be authorized to expel any pupil under the age of fourteen years for any cause without first securing the consent of the deputy superintendent of public instruction;

19. To enforce in schools the course of study and the use of text-books prescribed and adopted by the proper authority;

20. To make, with the approval of the deputy superintendent of public instruction, arrangements with the trustees of any other district for the attendance of such children in the school of either district as may be most convenient, and to transfer the school moneys due by apportionment to such children to the district in which they may attend school. The school trustees of any district may transfer to another district any child, whenever the parent or guardian shall present a written request accompanied by a written permit from the board of school trustees of the other district. Whenever two boards of trustees shall agree upon the transfer of any child, together with the money due such child by apportionment from state and county funds, the trustees of the district from which the child is to be transferred shall draw their order upon the county auditor for the amount equal to the

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school
trustees

money apportioned to that district at the last preceding apportionment of state and county funds, in favor of the county treasurer of the county in which the district to which the child is to be transferred is located. The county treasurer of such county shall place the amount ordered to be transferred to the credit of the proper fund of the district to which the child is to be transferred, and he shall immediately notify the county auditor of such county that the amount of money so transferred has been placed in the fund of said district; *provided*, that the amount of money to be transferred in accordance with this section shall consist only of the moneys apportioned to the child, and not any part of the amount of money apportioned to the teacher of the district from which the child is to be transferred;

21. To visit every school in their district at least once in each term, and examine carefully into its management, condition and wants. This clause to apply to each and every member of the board of trustees;

22. To furnish writing and drawing paper, pens, inks, blackboard erasers, crayons, and lead and slate pencils, and other necessary supplies for the use of the schools, and charges therefor must be audited and paid as other claims against the county school fund of their districts are audited and paid;

23. To make an annual report, on or before the first day of July, to the deputy superintendent of public instruction in the manner and form and on the blanks prescribed by the superintendent of public instruction;

24. To enforce needful sanitary regulations, to make and enforce such rules for preventing the spread of contagious and infectious diseases as they may deem necessary, and to pay out of the public school funds any expenses incurred by them in enforcing such regulations and rules among indigent children.

Schools to be maintained with equal rights and privileges

SEC. 68. The boards of school trustees and county boards of education must maintain all the schools established by them for an equal length of time during the year and, as far as practicable, with equal rights and privileges;

2. When in any district it is necessary for the convenience of the residents of said district that the school therein should be maintained a part of the year in one portion of the district, and a part of the year in another portion of the district, the aggregate of the time the school has been maintained in the different portions of the district shall be considered in estimating the time for which a school has been maintained in the district during the school year.

Clerk to issue warrants

SEC. 69. It shall be the duty of the clerk of the board of school trustees in each district, subject to the direction of said board, to draw all orders for the payment of the moneys belonging to his district, and such orders, when signed by the president and clerk of the board or by a majority of the

board of trustees, shall be valid vouchers in the hands of the county auditor for warrants on the county treasurer, to be paid out of the funds belonging to such district; *provided*, that in school districts having fewer than five trustees, no warrant for the payment of money for a new school building or for repairs or furniture in excess of five hundred dollars shall be issued unless the order shall be approved by the deputy superintendent of public instruction.

SEC. 70. All such orders shall be accompanied by an itemized statement of the purpose or purposes for which the order is issued, and such statement shall be kept on file in the office of the county auditor, subject to inspection by the deputy superintendent of public instruction, until ordered to be destroyed by the state board of education. No order for the payment of the money of any district shall be issued by the clerk of such district unless there shall be in the county treasury credited to such district a sum of money equal to the amount for which the order is issued, and available for the purpose of such order. If the clerk of the board of school trustees of any district shall draw any order for the payment of school moneys in violation of the laws of this state, the members of the board of school trustees of such district shall be jointly and severally liable for the amount of such order.

Itemized
statement of
bills

SEC. 71. No trustee shall be pecuniarily interested in any contract made by the board of trustees of which he is a member.

Trustees to
have no
interest in
contracts

SEC. 72. The school trustees, principals and teachers are hereby given concurrent power with the peace officers for the protection of children in school and on the way to and from school, and for the enforcement of order and discipline among them.

To enforce
discipline

SEC. 73. The board of school trustees of the respective school districts of the State of Nevada are hereby given such reasonable and necessary powers, not conflicting with the constitution and laws of the State of Nevada as may be requisite to attain the ends for which the public schools are established, and to promote the welfare of school children.

Trustees
vested with
necessary
power

SEC. 74. The school trustees may direct the principals and teachers employed by them to exercise such powers and authority in the schools as the trustees are invested with under this act.

Teachers,
powers of

SEC. 75. Under the provisions of this act, county boards of education in control of high schools shall have the same powers as are herein given to school trustees.

County
boards of
education
have same
power as
trustees

CHAPTER 7

SCHOOL DISTRICTS

SEC. 75. Each village, town, or incorporated city of this state shall constitute but one school district; and the public

One district
only in town
or city

schools therein shall be under the supervision and control of the trustees thereof.

Classes of
school dis-
tricts

City superin-
tendent

SEC. 76. All school districts in Nevada are hereby divided into two classes. Districts employing ten or more regular grade teachers shall be known as districts of the first class, and districts employing less than ten teachers shall be known as districts of the second class. The board of school trustees of any district of the first class is hereby authorized to create the office of city superintendent of schools for such district, to define the powers and duties of such superintendent, to elect to said office any person entitled to teach in the high schools of this state, and to fix the salary; *provided*, that no city superintendent shall be elected for more than one year, unless said city superintendent shall have first served one year acceptably in the district, when said board of trustees is empowered to elect said superintendent for a term not to exceed four years; *provided, further*, that said superintendent may be dismissed at any time for cause.

New dis-
tricts, when

SEC. 77. The boards of county commissioners of the several counties of the state are hereby authorized and empowered to create new school districts from unorganized territory when there shall have been presented to them a certified petition from the parents or guardians of five school census children, which petition shall accurately describe the boundaries of the proposed district, such boundaries to conform, when practicable, with the lines of the government surveys, and the names and ages of all children residing in such proposed district at the date of said petition. The boards of county commissioners may create new districts from a portion or portions of one or more established districts upon the presentation of a similar petition signed by not less than three-fifths of the heads of families and taxpayers of the districts from which the proposed new district is to be taken. They may make changes in the boundaries of districts upon petition of three-fifths of the heads of families and taxpayers of the district or districts to be affected by the change.

When a new school district is organized, school shall be commenced within one hundred and twenty days from the date of the action of the board of county commissioners creating such district and if school shall not be commenced within such time in said district, then such action shall become void and no such district shall exist.

No school district organized under the provisions of this act shall exceed in size sixteen miles square.

But one
school, when

SEC. 78. In any neighborhood or community containing not more than twenty school census children, in which a schoolhouse may be located so that the most distant school census child resides not to exceed three miles therefrom, but one school district shall be created or shall exist; and, in any neighborhood or community in which more than one school district is now organized, not in conformity with this act,

such districts shall be consolidated, and it shall be the duty of the board of county commissioners of the county in which said neighborhood or community is located to organize the territory comprised in said districts into one school district. It shall be the duty of the county auditor and county treasurer to place the funds of the several districts to the credit of the newly organized district, and the deputy superintendent of public instruction shall appoint trustees for said district. In any such neighborhood or community no school district shall receive an apportionment from the school funds until consolidated as herein provided. The deputy superintendent of public instruction shall decide where the school shall be held, and if school is held in any other place in the district than that designated by the deputy superintendent of public instruction, the county auditor shall draw no warrants upon the funds of the district in payment of claims for the maintenance of said school.

Duties of county commissioners

SEC. 79. The county school fund shall not be apportioned to any school district unless there shall be at least five school census children residing therein as shown by the last preceding census report. The state school fund shall not be apportioned to any school district unless there shall be at least three school census children residing therein as shown by the last preceding census report.

Restriction in apportionment

SEC. 80. From and after September first, nineteen hundred and eleven, no school district, except when newly organized, in which there was not taught by a legally qualified teacher, a public school for a term of at least six school months of the school year ending the last day of June preceding, with at least three children of school age in actual attendance for eighty days, sixty days of which shall have been consecutive, shall receive any portion of the public school moneys. When a new district is formed by the division of an old one, it shall be entitled to a just share of the school moneys to the credit of the old district after the payment of all outstanding debts at the time when a school was actually commenced in such new district; and the superintendent of public instruction shall divide and apportion such remaining money according to the number of census children resident in each district, for which purpose he may order a census to be taken, the expenses of which shall be met as provided in section 133 of this act.

Certain districts not to receive school money, when

Division of district

SEC. 81. A joint school district may be formed of parts of two or more counties, provided a majority of the qualified voters in that part of each county which it is proposed to include in such joint district shall petition for the creation of such joint district, such petition to contain a description of the boundaries of the proposed joint district. When such petition is presented to the board of county commissioners in each county in which any part of the territory of said proposed joint district is located, such boards shall, if they favor

Joint school district, when

the establishment of a joint district, provide for such establishment, and the superintendent of public instruction shall appoint the members of the board of school trustees, who shall serve until their successors are elected and qualified according to law.

State superintendent to apportion funds, how SEC. 82. The superintendent of public instruction shall apportion the county school fund to any such joint school district as follows: In apportioning sixty per cent of the county school fund of any county, he shall apportion to a joint school district the regular amount per census child residing in that county. In apportioning forty per cent of the county school fund of any county, he shall consider the teacher as belonging in part to each county, part of which lies in the joint school district, and the part belonging to any county will be in proportion to the number of school census children in that county.

In apportioning thirty per cent of the state distributive school fund within any county, he shall apportion to a joint school district the regular amount per census child residing in that county. In apportioning seventy per cent of the state distributive school fund within any county, he shall consider the teacher as belonging in part to each county, part of which lies in the joint school district, and the part belonging to any county will be in proportion to the number of school census children in that county.

Union school, how established SEC. 83. On the recommendation of the deputy superintendent of public instruction, the boards of school trustees of any contiguous school districts in the same county or in adjoining counties may, in joint meeting of the two boards, unite the two districts and establish a union school to be supported out of the funds belonging to the respective districts.

Joint board to govern SEC. 84. The school thus established shall be governed by a joint board, composed of the trustees of the combining districts; *provided*, that school may be maintained at more than one point in the union district thus formed, if found necessary or advisable; *and provided further*, that the classes and grades in the two districts shall be arranged with reference to the convenience of the children and the efficient and economical management of the school. In case of a disagreement of the joint board as to the arrangement and distribution of the various classes and grades in the two districts, the deputy superintendent of public instruction shall determine the same.

More than one school, when SEC. 85. A majority of the members of the joint board shall constitute a quorum for the transaction of business. **Expenses, how paid** Vouchers shall be made out on the separate district funds for the pro rata of monthly expenses, as agreed upon by the joint board, and these vouchers shall be signed by the president and clerk of the school board in the district on whose fund the vouchers are drawn.

District dissolved, when SEC. 86. The union school, or district, herein provided for may be dissolved in June of any year by mutual consent or

action of the boards of school trustees in the districts interested, or by the unanimous action of the school board of either district; *provided*, that no indebtedness incurred by the joint board exists; *and provided further*, that in case of dissolution by action of only one of the two districts as herein prescribed, at least thirty days' notice of intention to dissolve shall have been given to the joint board.

SEC. 87. The board of county commissioners in any county on the recommendation of the deputy superintendent of public instruction, and without formal petition, may enlarge the boundaries of any school district, wherein there may be uncertainty of maintaining the minimum requirement of five census children, sufficiently beyond the sixteen-mile-square limit to include five or more school census children actually residing, and not temporarily living, therein, or the board, upon the recommendation of the deputy superintendent, may consolidate two or more such districts or parts of districts into a single district.

Districts
enlarged or
consolidated

SEC. 88. In case of the consolidation of two or more districts as herein provided for, the property of the separate districts shall become the property of the district thus formed, and any money in the fund of a district consolidated with another shall, on notice given by the deputy superintendent of public instruction, be transferred by the county auditor and the county treasurer to the credit of the district so formed.

Property of
consolidated
districts

SEC. 89. When a district is formed by consolidation as herein provided, the deputy superintendent of public instruction shall appoint a board of school trustees therefor; he shall determine the points therein where instruction is to be given, and shall aid the trustees in making necessary provision for carrying out the purposes of this act.

Board
appointed,
when

SEC. 90. At the time of the apportionment of money in the state distributive school fund in January and July of each year, the superintendent of public instruction, before making such apportionment, shall set aside from said fund the sum of three thousand dollars, the same to constitute and be known as the emergency school fund; and he shall at once notify the state controller and the state treasurer of his action.

Emergency
fund created

SEC. 91. The emergency school fund, or such portion thereof as the state board of education shall deem advisable, shall be used as hereinafter provided for payment of a teacher's salary in any legally constituted school district formed after the regular apportionment in January and July of any year and not consisting mainly or wholly of census children and territory theretofore included in an established school district.

For districts
formed after
regular ap-
portionment

SEC. 92. Before any portion of the emergency school fund is distributed to any school district that may be entitled thereto under the provisions of this act, the superintendent of public instruction shall cause a census to be taken and shall satisfy himself that a competent teacher has been employed and that a suitable building has been provided.

Conditions
before
money is dis-
tributed

Basis of distribution

SEC. 93. The money in the emergency school fund, or such part thereof as may be necessary, shall be distributed to the various districts entitled thereto on the basis of teachers—one teacher to every fifty census children or fraction thereof; and not more than two hundred and fifty dollars shall be allowed for any one teacher. The money thus distributed shall be used only for the payment of salaries of teachers. The superintendent of public instruction shall submit to the state board of education lists of school districts entitled to money under the provisions of this act, and estimates of the amount of money necessary for each district.

But one apportionment to any district from emergency fund

SEC. 94. No more than one apportionment shall be made to any one school district from the emergency school fund. But at the general apportionments thereafter such district shall be entitled to its share of the state distributive school fund and of the general school fund of the county in which the district is located, the census provided for in section 92 of this act serving as the basis of apportionment until the general school census is available therefor.

State board of education to approve

SEC. 95. Upon approval by the state board of education of the amounts to be distributed, the superintendent of public instruction shall draw his order on the state controller for the sum to be sent from the emergency school fund to any county, and the state controller shall thereupon draw his warrant on the state treasurer therefor, and the state treasurer shall pay over the money to the county treasurer, or any treasurer named. The superintendent of public instruction shall inform the county auditor and the county treasurer of any county to which money is thus sent, of the amount set aside for any school district or districts in that county; and such money shall be applied by the board or boards of school trustees thereof for the purpose named in this act, and disbursed in the manner prescribed by law.

Residue to revert

SEC. 96. Any money remaining in the emergency school fund on the thirtieth day of June and the thirty-first day of December of any year shall revert to the state distributive school fund.

District abolished, when

SEC. 97. Upon notice from the deputy superintendent of public instruction that a district has fewer than three resident children in actual school attendance, the board of county commissioners shall abolish such district.

Funds to revert

SEC. 98. All moneys remaining to the credit of any school district which has been legally abolished, by action of the board of county commissioners of the county in which the district is situated, shall revert to the county school fund of the said county.

Property of abolished district to be sold

SEC. 99. All property, real and personal, of any abolished school district shall revert to the county in which the said district is situated, and the board of county commissioners are hereby authorized to control and manage, rent or sell such reverted school property in the manner prescribed for the sale

of county property; *provided*, that in case the said board of county commissioners shall find all of the real and personal property of any abolished district to be of a value less than one hundred dollars, the same may be sold without publication of notice and to the highest bidder for cash at private sale.

SEC. 100. All the moneys derived from the sale or rent of reverted school property shall be paid into the county school fund. Disposal of proceeds

CHAPTER 8

GENERAL PROVISIONS

SEC. 101. Public schools within the meaning of this act shall include all elementary schools, and all district and county high schools. Public schools defined

SEC. 102. An elementary school within the meaning of this act shall be one in which no grade work above that included in the eighth grade according to the regularly adopted state course of study shall be given. Elementary and high school defined

A high school within the meaning of this act shall be a school in which subjects above the eighth grade according to the state course of study may be taught.

SEC. 103. The public school year shall commence on the first day of July and shall end on the last day of June. School year

SEC. 104. A school month shall consist of four weeks of five days each, and teachers shall be paid only for the time in which they are actually engaged in teaching; *provided*, that when an intermission of less than six days is ordered by the trustees no deduction of salary shall be made therefor. School month

SEC. 105. No books, tracts, or papers of a sectarian or denominational character shall be used or introduced in any schools established under the provisions of this act; nor shall any sectarian or denominational doctrines be taught therein; nor shall any school whatever receive any of the public school funds which has not been taught in accordance with the provisions of this section. Sectarian literature prohibited

SEC. 106. All lots, buildings, or other school property, owned by any district, town, or city, and devoted to public school purposes, shall be, and the same are hereby, exempted from taxation, and from sale on any execution or other writ or order in the nature of an execution. School property exempt from taxation

SEC. 107. Physiology and hygiene shall be taught in the public schools of this state, and especial attention shall be given to the effects of stimulants and narcotics upon the human system. Hygiene to be taught

SEC. 108. It is hereby made the duty of each and every teacher in the public schools of this state to give oral instruction at least once a month, to all children attending such schools, relative to the preservation of song-birds, fish, and game; and to explain to such children of suitable ages, at least twice each school year, the fish and game laws of the State of Nevada. Children instructed relative to birds, fish and game

Teachers to comply with provisions **SEC. 109.** No teacher shall be entitled to receive any portion of the public school moneys as compensation for services, unless such teacher shall have complied with the provisions of the last preceding section.

Arbor Day **SEC. 110.** Arbor Day is hereby established in the State of Nevada, and shall be fixed each year by proclamation of the governor at least one month before the fixing of such date, and it shall be observed as a holiday by the public schools of this state; *provided*, that nothing in this act shall be so construed as making this a legal holiday, so far as the courts and civil contracts are concerned.

Governor to make proclamation **SEC. 111.** His excellency the governor is requested to make proclamation setting forth the provisions of the preceding section of this statute, and recommending that Arbor Day so established, be observed by the people of the state in the planting of trees, shrubs, and vines, in the promotion of forest growth and culture, in the adornment of public and private grounds, places, and ways, and in such other efforts and undertakings as shall be in harmony with the character of the day so established.

Holidays **SEC. 112.** No school shall be kept open on the first day of January, the thirtieth day of May, the fourth day of July, the first Monday of September, Thanksgiving day, and the twenty-fifth day of December of each year, nor on any day appointed by the President of the United States or the governor of this state for public fast, thanksgiving, or holiday.

All schools shall be kept open and shall observe with appropriate exercises the twelfth day of February, the twenty-second day of February, Arbor Day, and the thirty-first day of October of each year, if such days occur on regular school days.

No school shall be closed on the date of any primary or general election, except in cases of school elections when the school building is needed as a polling place.

The national flag **SEC. 113.** Boards of school trustees in all school districts throughout the state shall provide for their respective schoolhouses a suitable flag of the United States, which shall be hoisted on the respective schoolhouses on all suitable occasions. The respective boards of trustees are hereby authorized and directed to cause said flags to be paid for out of any county school money in their respective school district funds not required for regular expenses. If the trustees in any school district fail or neglect to provide such flag, the deputy superintendent of public instruction shall himself provide the school with a flag and shall install the same upon the schoolhouse, and shall pay the expenses incurred in such action by drawing his order on the county auditor, and the county auditor shall draw his warrant on the county treasurer in payment of same.

The state flag **SEC. 114.** The flag of the State of Nevada shall be of blue bunting with the following devices thereon, to wit: The word

"NEVADA" in silver-colored block letters, equidistant between the top and bottom; near the top the word "SILVER" in silver color, and near the bottom the word "GOLD" in gold color, each of which shall be in Roman capital letters, and there shall be under the word "Silver" a row of eight stars in silver color, under which and above the word "Nevada" a row of nine stars in gold color, at each end of the word "Nevada" a silver-colored star, and under the word "Nevada" a row of nine stars in gold color, under which and above the word "Gold" a row of eight stars in silver color. Each star shall have five points and be placed with one point up.

SEC. 115. The district attorneys of the several counties of Nevada must give, when required, and without fee, his opinion in writing to school trustees, on matters relating to the duties of their offices.

District attorney to advise trustees

SEC. 116. The state attorney-general shall give, when required, and without fee, his opinion in writing to deputy superintendents of public instruction on matters relating to the duties of their offices.

Attorney-general advisor of deputy superintendents

SEC. 117. Teachers actually engaged in teaching in the public schools of the state and members of the faculty of the state university shall be exempt from jury duty during the session of the public schools or university, but nothing in this act shall be construed as to excuse said teachers from liability to jury duty during a vacation.

Teachers exempt from jury duty

SEC. 118. On and after the fifteenth day of September, nineteen hundred and eleven, the county auditors and the county treasurers of the several counties of the State of Nevada shall keep separate accounts in their books for the library fund, the county school fund, and the state school fund of each district within their respective counties, and in no case shall they keep any school fund account in such manner that its balance shall at any time include the amounts on hand in any two school funds.

Classification of funds

If on the said fifteenth day of September, nineteen hundred and eleven, the county auditor and the county treasurer in any county shall not have their respective school fund accounts arranged so that no school fund account shall show by its balance the amount on hand in any two or more school funds, the said county auditor and the county treasurer shall adjust their school fund accounts in the following manner:

The county auditor shall determine the total amount of money in the county treasury to the credit of each school district on the said fifteenth day of September, nineteen hundred and eleven. He shall then deduct from the said total amount to the credit of each school district at the time mentioned, the amount of money which should be in the library fund of each of the said school districts on the fifteenth day of September, nineteen hundred and eleven, and the amount so deducted shall constitute, for each school district, a separate fund which shall thereafter be designated as the library fund for such

school district, and the county auditor shall thereafter make such entries in the said library fund as will show, at all times, the apportionments made to that fund, and all amounts drawn from the said fund in payment of legal claims.

Classifica-
tion of funds

If for any reason the auditor cannot tell the exact amount which should be in the library fund of any school district on the date mentioned above, he shall deduct from the total amount to the credit of the school district an amount equal to the apportionment to the library fund of that district made in July, nineteen hundred and eleven, and the amount so deducted shall constitute, for such school district, a separate fund which shall thereafter be designated as the library fund as provided above.

After the auditor has established the library fund for each school district, as described above, he shall deduct from the remainder of the total amount to the credit of each school district, the amount apportioned to the state school fund of that district in July, nineteen hundred and eleven, and the amount so deducted shall constitute the state school fund of that school district, and the auditor shall open a separate account in his books for the said state school fund, and he shall thereafter make such entries in the state school fund account as will show, at any time, the apportionments made to such state school fund, and all amounts drawn from the said fund in payment of teachers' salaries; *provided*, that only the salaries of teachers shall be paid from such fund.

After establishing a library fund, and a state school fund, for each school district in the manner described above, the auditor shall establish a county school fund for each school district in the county by opening a separate account in his books and making proper entry therein of the amount left to the credit of each district after deducting from the said total amount the several amounts described above as constituting the library fund and the state school fund for each district, and the remainder left when the said two amounts shall have been deducted from the total amount to the credit of each school district, shall constitute the county school fund of each school district, and the county auditor shall thereafter make such entries in the county school fund account as will show, at all times, the apportionments made to that fund, and all amounts drawn from the said fund in payment of legal claims.

After the county auditor in each county has established the library fund, the state school fund, and the county school fund for each school district in the manner described above, he shall certify the amounts in each of the said funds to the county treasurer, and the county treasurer shall immediately open a separate account in his books for each of the three funds mentioned above, and he shall, thereafter, make such entries in each of the said accounts as will show, at all times, the apportionments made to each fund, and all amounts drawn from each fund in payment of legal claims.

SEC. 119. In case of failure or neglect on the part of the county auditor or the county treasurer of any county to comply with the provisions of the foregoing section, he shall forfeit for the benefit of the county school fund the sum of one hundred dollars from his official compensation, and it is hereby made the duty of the county commissioners, on notice from the deputy superintendent of public instruction of such failure or neglect on the part of any county auditor or county treasurer to comply with the provisions of the foregoing section, to deduct the said one hundred dollars from the compensation of the said negligent officer, and the commissioners shall place the said amount to the credit of the county school fund.

Penalty

SEC. 120. Should any teacher employed by a board of school trustees for a specified time, leave the school before the expiration of such time, without the consent of the trustees, in writing, said teacher shall be deemed guilty of unprofessional conduct, and the deputy superintendent of public instruction is authorized, upon receiving notice of such fact, to suspend the certificate of such teacher for the period of one year.

Penalty for nonfulfillment of contract

SEC. 121. From any decision made by a deputy superintendent affecting adversely the rights, powers or duties of any teacher or school board as fixed by law, in any case in which no appeal is allowed to the board of education, an appeal may be taken to the superintendent of public instruction, and his decision in the premises shall be final.

Appeal, how made

CHAPTER 9

CENSUS MARSHALS

SEC. 122. It shall be the duty of the board of school trustees of each school district to appoint a competent person over twenty-one years of age as school census marshal before the first day of March of each school year and to notify the deputy superintendent of public instruction of such appointment immediately after it is made. This section shall not be construed in such a way as to prevent the appointment of a member of the board of school trustees or of a woman as school census marshal. Before the school census marshal shall enter upon the performance of his duties he shall take and subscribe to the oath of office, and such oath shall be filed in the office of the deputy superintendent of public instruction.

Females may act as census marshals

If the board of school trustees of any district shall fail to appoint a school census marshal and to notify the deputy superintendent of public instruction of the same, as provided in section 122 of this act, it shall be the duty of the deputy superintendent of public instruction to call the attention of the clerk of the board of such district to such failure, and if a notification of an appointment is not received at his office before the fifteenth day of March, the deputy superintendent of public instruction shall appoint the school census marshal for such district, such appointee to proceed in like manner as if appointed by the board of school trustees, and any appoint-

ment of census marshals made by the board of school trustees of such district shall be void.

Blanks for
marshal

SEC. 123. The superintendent of public instruction shall supply each school census marshal with printed instructions as to his duty, and with all blank forms required for taking and reporting the census.

Duties of
school cen-
sus marshal

SEC. 124. It shall be the duty of the school census marshal of each district to take annually in the month of April a census of the resident children of the district for which he shall have been appointed, and to report the same to the deputy superintendent of public instruction. The term "resident children," as used in this section, shall be defined in such a way as to include:

1. Children residing with their parents or guardians in such district;

Duties of
census mar-
shal

2. Children temporarily residing outside of said district for the purpose of attending institutions of learning or benevolent institutions, except those children who are in the State Orphans' Home and the said children in the State Orphans' Home shall be taken in the Carson City school district; *provided*, that the parents of such children shall be residing in such district on the first day of April; and *provided further*, that the children themselves shall have been actual residents of the district immediately previous to the time of such outside residence. The term "resident children" shall be further defined in such a way as to exclude:

1. Indian children who shall not have attended public school at least eighty days in the twelve months preceding the date of taking the census during the last preceding year;

2. Children temporarily visiting in or passing through said district;

3. Children who have never actually resided within the district, even in cases where the parents or guardians shall reside in such district;

4. Children who are residing in the district for the purpose of attending institutions of learning or benevolent institutions, except the children of the State Orphans' Home and the census of the children in the State Orphans' Home shall be taken in Carson City school district; and, in general, all children who may properly be included in the census of some other district.

SEC. 125. The school census marshal shall visit each home, habitation, residence, domicile, or place of abode in his district and require the necessary information of parents or others competent to give accurate information, supplementing and correcting this by actual observation when necessary. The school census marshal shall have power to administer the legal oath to parents, guardians, and other persons furnishing such information.

SEC. 126. The report of the school census marshal shall be made upon blank forms to be furnished by the superintendent of public instruction, and shall show the following facts:

1. The full names of all children less than twenty-one years old and residing in the district on the first day of April, such names to be given by families under the name of the parents or guardian; What report shall contain

2. The year, month, and day on which each child was born, and the age in years, counting to the first day of April;

3. The sex and race of each child;

4. The place of birth of each child and of each parent;

5. The total number of children less than six years of age; the total number not less than six nor over eighteen years of age, and the total number of children over eighteen and less than twenty-one years of age, counting from the first day of April. Only those children who are not less than six nor over eighteen years of age shall be considered as school census children.

6. Such other facts as the superintendent of public instruction may require.

SEC. 127. In the case of districts lying partly in two or more counties, the school census marshal shall report separately the children of each county. Districts in two counties

SEC. 128. Immediately after the school census marshal shall have completed the work of taking the census, he shall submit a report of the same, according to a form to be prescribed by the superintendent of public instruction, to the clerk of the board of school trustees, and if the clerk finds the report to be correct, according to the best of his knowledge, he shall approve the same and certify to its correctness, after which the census marshal shall transmit it to the deputy superintendent of public instruction with a sworn statement to the effect that reasonable diligence and care have been exercised and that, to the best of his knowledge, all parts of the report are correct. Clerk to examine marshal's report

SEC. 129. In the case of districts having a school census population of less than three hundred the report shall be sent to the deputy superintendent of public instruction before the fifteenth day of May. In the case of districts having over three hundred census children the report shall be sent to the deputy superintendent of public instruction before the first day of June. Dates for completing reports

SEC. 130. The deputy superintendent of public instruction shall compare the census reports submitted to him by the various school census marshals so far as he shall consider needful, and he shall strike from them the names of any children whose names are, according to his best knowledge, wrongly included in the reports, and it shall be his duty to correct all manifest errors in such reports. In all cases he shall make sufficient investigation to confirm him in his action before correcting any report. Deputy superintendents to compare reports of marshals

SEC. 131. If at any time the deputy superintendent shall have reason to believe that a report contains errors which he is unable to correct, or if at any time the report of the school census marshal is not transmitted as provided by section 129 of this act, he may appoint a special school census marshal Special census marshal, when

who shall retake the census as soon as practicable and not later than the thirtieth day of June, conforming otherwise to the rules governing the original census.

Negligence
of marshal.
punishment

SEC. 132. If the school census marshal of any district neglects or refuses to make his report at the time and in the manner prescribed by law, or if he, with intention to defraud the state, or through failure to exercise reasonable care, include the names of children in violation of law, or if he report their names, ages or number falsely, he shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine in any amount not less than five or more than one hundred dollars, or by imprisonment in the county jail not less than five nor more than thirty days, and it shall be the duty of the various district attorneys to cause the arrest and prosecution of such persons upon information furnished by the superintendent of public instruction, other school officers, or by other persons.

County to
pay census
marshal

SEC. 133. Every bill for the compensation of a school census marshal shall be presented to the board of county commissioners of the county in which the district for which he shall have been appointed lies, and upon the order of said board shall be paid as other claims out of the general fund of the county. No bill for the compensation of any school census marshal shall be ordered paid unless the bill shall be accompanied by a statement from the deputy superintendent of public instruction to the effect that a satisfactory census report has been returned as provided by law. In any school district containing ten or less school census children the compensation for taking the school census shall not exceed eight dollars. In school districts having more than ten school census children there may be allowed not be more than twenty-five cents additional for the name of each school census child above the said ten names; *provided*, that in districts in which there are less than three families having school census children, the compensation shall not exceed five dollars.

CHAPTER 10

SCHOOL FUNDS

State permanent
school
fund

SEC. 134. All moneys accruing to this state from the sale of lands heretofore given or bequeathed, or that may hereafter be given or bequeathed, for public school purposes; all fines collected under the penal laws of the state; two per cent of the gross proceeds of all toll roads and bridges, and all estates that may escheat to the state, shall be and the same are hereby solemnly pledged for educational purposes, and shall not be transferred to any other fund for other uses, but shall constitute an irreducible and indivisible fund, to be known as the state permanent school fund, which shall be invested as provided in section 148 of this act.

SEC. 135. An ad valorem tax of ten cents on the hundred dollars of all taxable property in the state is hereby levied and

directed to be collected and paid in the same manner as other state taxes are required to be paid; and said tax shall be known as the state school tax, and the board of county commissioners of the several counties shall, annually, at the same time other state taxes are levied, add this to the other taxes provided by law to be levied and collected, and it shall be annually collected at the same time and in the same manner as other state taxes are collected, and if, from any reason whatever, in any year said taxes are not levied as herein required, by the board of county commissioners, the county auditor shall enter them on the assessment roll, as required by law for other taxes.

Ad valorem
state school
tax

SEC. 136. All moneys derived from interest on the state permanent school fund, together with all moneys derived from the state school tax, shall be placed in and constitute a fund to be known as the state distributive school fund, and be apportioned semiannually among the several school districts of the state in the manner provided in this act for the apportionment of the state distributive school fund to the several school districts of the state.

State
distributive
school fund

SEC. 137. The school moneys distributed from the state distributive school fund, shall not be used for any other purpose than the payment of qualified teachers, under this act; and no portion of said fund shall, either directly or indirectly, be paid for the erection of schoolhouses, the use of schoolrooms, furniture, or any other contingent expenses of public schools.

Use of dis-
tributive
school fund
restricted

SEC. 138. No portion of the public school funds, nor of the moneys raised by the state tax, or specially appropriated for the support of public schools, shall be devoted to any other object or purpose; nor shall any portion of the public school funds, nor of money raised by state tax for the support of public schools, be in any way segregated, divided, or set apart for the use or benefit of any sectarian or secular society or association.

State tax,
use restricted

SEC. 139. The board of county commissioners of each county shall, annually, at the time of levying other county taxes, levy a county school tax, not to exceed fifty cents nor less than twenty cents on each one hundred dollars valuation of taxable property, which tax shall be added to the county tax and collected in the same manner, and paid into the county treasury as a special deposit, to be drawn in the same manner as other public school moneys; and should said county commissioners fail or neglect to levy said tax as required it shall be the duty of the county auditor to add such tax as the superintendent of public instruction may deem sufficient, between the limits of twenty and fifty cents on each one hundred dollars valuation of taxable property in the county, to the assessment roll, to be collected as specified in this section.

County
school tax

SEC. 140. When, in the judgment of the board of school trustees of any district, the school moneys to which such district shall be entitled for the coming school year will not be sufficient to maintain the school properly and for a sufficient

Special
school tax,
when

number of months, said board shall have power to direct that a tax of not more than twenty-five cents on the one hundred dollars of assessed valuation of such district shall be levied, and, upon notification by the clerk of the board of school trustees of such district that such action has been taken, the board of county commissioners shall levy and cause to be collected such tax upon the taxable property of such district.

Popular election to decide whether tax shall be levied, when

SEC. 141. The board of trustees of any school district may, when in their judgment it is advisable, call an election and submit to the qualified electors of the district the question whether a tax shall be raised to furnish additional school facilities for said district, or to keep any school or schools in such district open for a longer period than the ordinary funds will allow or for building an additional schoolhouse or houses, or for any two or for all of these purposes. Such election shall be called by posting notices in three of the most public places in the district for twenty days, and also if there be a newspaper in the county by advertisement therein once a week for three weeks. Said notice shall contain time and place of holding the election, the amount of money proposed to be raised, and the purpose or purposes for which it is intended to be used. The trustees shall appoint three judges to conduct the election, and it shall be held in all other respects as nearly as practicable in conformity with the general election law. At such election the ballot shall contain the words: "Tax—Yes," or "Tax—No." If a majority of the votes cast are "Tax—Yes," the officers of the election shall certify the fact to the county commissioners, together with a statement of the amount of money proposed to be raised, who shall ascertain the necessary percentage on the property of said district, as shown by the last assessment made thereof after equalization, to raise the amount of money voted, and shall add it to the next county tax to be collected on the property aforesaid; and the same shall be paid into the county treasury as a special deposit in favor of said school district, to be drawn in the same manner as other school moneys; *provided*, if in any school district the school trustees shall certify to the county commissioners that the state and county money to which any district is entitled is not sufficient to keep school open in such district up to the date when state and county taxes shall become due, the tax provided for in this section shall be due and payable to the assessor of such county in which the tax is levied immediately after he shall make the assessment and demand for payment of the tax; *provided*, the owner of the property shall, if he deem the assessment too high, have the privilege of submitting the assessment to the board of county commissioners, for equalization within ten days after demand made for the payment of the tax, and the county commissioners, within five days after complaint made to them, shall meet and determine the correct valuation of the property assessed, and may change the same by adding to or deducting from the sum

Tax due. when

fixed either by the owner or assessor, and upon notice to the owner of the result of their equalization the tax shall be immediately payable to the assessor, and if not paid shall become delinquent; and all taxes so assessed shall constitute a lien on the property charged therewith, from the date of the levy thereof by the county commissioners, or entry thereof on the assessment roll by the county auditor, until the same are paid, and thereafter if allowed to become delinquent shall be enforced in the same manner as provided by law for the collection of state and county taxes. If for any reason said tax is not added to the county tax by the county commissioners, the county auditor shall enter it upon the assessment roll to be charged against the property of that district, on application from the trustees of said district.

Tax payable

SEC. 142. The board of trustees, or board of education, of each city, town, and district, may use the moneys from the county school funds to purchase sites, build, or rent school-houses, to purchase libraries, and to pay teachers or contingent expenses as they may deem proper, or for transportation of pupils to and from school.

Use of county school funds

SEC. 143. The state controller shall keep a separate and distinct account of the state permanent school fund, of the interest and income thereof, of such moneys as shall be raised by the state school tax, and of all moneys derived from special appropriations or otherwise for the support of public schools.

State permanent school fund

SEC. 144. The state controller shall, on or before the tenth day of April and the tenth day of October of each year, make to the state board of education a statement of the securities belonging to the state permanent school fund. He shall also, on or before the tenth day of January and the tenth day of July of each year, render to the superintendent of public instruction a statement of the moneys in the treasury subject to distribution to the several districts of the state, as provided in section 151 of this act.

State controller to report school securities

SEC. 145. The state treasurer shall be the legal custodian of all state and national securities in which the moneys of the state permanent school fund of the State of Nevada are or may hereafter be invested, and for their safe keeping he shall be liable on his official bond. It shall be the duty of the state treasurer to pay over all public school moneys received by him only on warrants of the state controller, issued upon the orders of the superintendent of public instruction, under the seal of the board of education, in favor of county treasurers, or on orders of the state board of education, for purposes of investment, as provided in section 148 of this act, which orders, duly endorsed, shall be valid vouchers in the hands of the state controller for the disbursement of public school moneys.

State treasurer custodian of school securities

SEC. 146. All school moneys due each county in the state shall be paid over by the state treasurer to the county treasurers on the tenth day of January and the tenth day of July of each year or as soon thereafter as the county treasurer may apply

County treasurers to receive state school moneys semi-annually

for the same upon the warrant of the state controller drawn in conformity with the apportionment of the superintendent of public instruction, as provided in section 151 of this act.

State
treasurer to
turn interest
into state
distributive
school fund

SEC. 147. When the interest on any securities belonging to the state permanent school fund is due, the state treasurer shall, upon the warrant of the state controller and in the presence of a majority of the members of the state board of education, cut off and pay the coupon on such securities, and place the moneys so paid into the state distributive school fund, and keep a correct account thereof in his books.

Duties of
state con-
troller;
investments
must be
thoroughly
investigated

SEC. 148. It is hereby made the duty of the state controller, quarterly, to notify the state board of education of the amount of money in the state permanent school fund, and whenever there shall be a sum in said fund sufficient for investment said board shall direct the state treasurer to negotiate for investment of the same in United States securities, or in the bonds of this state, or in the bonds of other states, at the lowest purchasable rates, and the board shall then draw their order upon the controller in favor of the state treasurer for the amount to be invested. Said controller shall thereupon draw his warrant as directed, and the state treasurer shall complete the purchase of the securities negotiated for by him in pursuance of this act; *provided*, that before any such investment of said school moneys as is contemplated by the provisions of this act is made, said board of education shall require of the attorney-general of this state his legal opinion as to the validity of any act or acts of any state under which said bonds are issued and in which said board of education are about to make an investment; *and provided further*, that in no case shall any bonds be purchased as herein provided without said board of education making due and diligent inquiry as to the financial standing and responsibility of the state or states whose bonds it is proposed to purchase.

SEC. 149. It shall be the duty of the county treasurer of each county:

Duties of
county
treasurer

1. To receive and hold as a special deposit all public school moneys, whether received by him from the state treasurer or raised by the county for the benefit of the public schools, or from any other source, and to keep separate accounts thereof and of their disbursements;

2. On the second Monday of June and on the second Monday of December of each year to notify the superintendent of public instruction of the amount of money in the county school fund subject to distribution;

3. To pay over all public school moneys received by him only on warrants of the county auditor, issued upon orders of the boards of school trustees for their respective school districts. All orders issued by the said trustees shall be valid vouchers in the hands of county auditors for warrants drawn upon such orders; *provided*, that orders for the payment of money for new school buildings and for repairs or furniture amounting to over

five hundred dollars must be approved by the superintendent of public instruction before such warrants are drawn; Duties of county treasurer

4. On or before the tenth day of July, annually, to make full report to the superintendent of public instruction of the public school moneys received into the county treasury within the school year ending on the last day of June next previous thereto, with a particular statement of the disbursement of the said school moneys, and of any amount of said school moneys which may remain in his hands at the close of the school year, designating the part remaining in the state school fund and the part remaining in the county school fund; and in case of failure or neglect of said county treasurer to make such report, he shall forfeit for the benefit of the county school fund the sum of one hundred dollars from his official compensation, and it is hereby made the duty of the county commissioners, on notice from the superintendent of public instruction of such failure or neglect on the part of any county treasurer, to deduct said one hundred dollars from his compensation and place said amount to the credit of the county school fund.

Sec. 150. No tax collector or county treasurer shall receive any fees or compensation whatever for collecting, receiving, keeping, transporting, or disbursing any school moneys mentioned in the preceding sections of this act. In case of a special school tax for any school district, as provided in sections 140 and 141 of this act, the board of county commissioners may allow a reasonable compensation for assessing and collecting if such taxes are assessed and collected independently and separate from the regular taxes, such compensation to be paid out of the special taxes thus collected. No fees for handling school moneys

Sec. 151. It shall be the duty of the superintendent of public instruction immediately after the state controller shall have made his semiannual report, as provided in section 144 of this act, to apportion to the several school districts in the state the moneys in the state distributive school fund, subject to apportionment at such time. He shall apportion the moneys of said fund among the several school districts of the state in the following manner: Apportionment of state distributive school fund

1. He must ascertain the number of teachers to which each school district is entitled by calculating one teacher for every thirty school census children or fraction thereof, as shown by the last preceding school census;

2. He must ascertain the total number of teachers in the state by adding together the number of teachers assigned to the several school districts upon the basis of one teacher to each thirty school census children or fraction thereof;

3. He must apportion seventy per cent of the state distributive school fund, subject to apportionment at that time among the several school districts of the state in proportion to the number of teachers in each school district, upon the basis of one teacher to each thirty school census children or fraction thereof as shown by the last preceding school census;

Apportion-
ment of state
distributive
school fund

4. He must apportion thirty per cent of the state distributive school fund, subject to apportionment at that time, among the several school districts of the state in proportion to the number of children between the ages of six and eighteen years in each school district as shown by the last preceding school census.

Immediately after making the apportionment of the state distributive school fund in the manner prescribed in this act, the superintendent of public instruction shall, by means of a printed report, notify the state controller, the county treasurer, the county auditor, and the clerk of each board of school trustees of the apportionments in detail. He shall also furnish to each county treasurer, under seal of the state board of education, an order on the state controller for an amount of money equal to the full amount of school moneys apportioned to the several school districts of that county from the state distributive school fund, and he shall take such county treasurer's receipt for the said order.

Apportion-
ment of
county
school funds

SEC. 152. The superintendent of public instruction shall, immediately after he has apportioned the state distributive school fund, as provided in this act, proceed to apportion the county school fund of each county among its several school districts. He shall apportion the county school fund as follows:

1. He must ascertain the number of teachers to which each district is entitled by calculating one teacher for every seventy-five census children or fraction thereof as shown by the last preceding census report;

2. He must ascertain the total number of teachers for the county by adding together the number of teachers assigned to the several school districts upon the basis of one teacher to each seventy-five census children or fraction thereof;

3. Forty per cent of the amount of the county school fund shall be apportioned equally to each school district for every teacher assigned to it upon the basis of seventy-five census children or fraction thereof;

4. All school moneys remaining on hand in the county school fund after apportioning forty per cent of the county school fund equally to each school district for every teacher assigned it upon the basis of seventy-five census children or fraction thereof, must be apportioned to the several school districts in proportion to the number of school census children between the ages of six and eighteen years as shown by the last preceding school census.

The superintendent of public instruction shall by means of a printed report notify the county treasurer, the county auditor, and the clerk of each board of school trustees of such apportionment in detail.

Reversion of
surplus funds

SEC. 152½. On or before the tenth day of July of each school year the county auditor in each county shall report to the superintendent of public instruction the amount of moneys

in the state and county funds to the credit of each school district in his county.

The superintendent of public instruction shall, upon receipt of such report, deduct from the total amount of money to the credit of each of the school districts, all amounts over and above two hundred and fifty dollars for each teacher assigned to said district upon the basis of one teacher for every thirty census children or fraction thereof, as shown by the last preceding school census; *provided*, that if the county auditor shall have his accounts so arranged that the state school fund account is entirely separate from the county school fund account, then he shall notify the superintendent of public instruction of the amount in each fund to the credit of each school district, and the superintendent of public instruction shall deduct from the state school fund all amounts in excess of one hundred and fifty dollars for each teacher assigned to such school district on the basis of one teacher to every thirty school census children or fraction thereof, as shown by the last preceding school census, and he shall also deduct from the county school fund all the amounts in excess of one hundred dollars for each teacher assigned to the district on the basis of one teacher for every thirty school census children or fraction thereof, as shown by the last preceding school census; *provided*, further, that if the sum of the balances in the state school fund and the county school fund of any school district on the first day of July does not exceed two hundred and fifty dollars for each teacher assigned to the district on the basis of one teacher to each thirty census children or fraction thereof as shown by the last census, the superintendent of public instruction shall not make the deductions as provided in this section, and in no case shall the superintendent of public instruction deduct such amounts from the school funds of any district as will make the balance in the funds of the district less than two hundred and fifty dollars for each teacher assigned to the district upon the basis of one teacher to every thirty school census children or fraction thereof, as shown by the last preceding school census.

Duties of
state super-
intendent

The amounts deducted from the several school funds of each county as provided in the above paragraph shall be placed to the credit of the unapportioned county school fund of the county, and be apportioned with the said county fund.

The superintendent of public instruction shall, at the time of making the deductions in accordance with this act, notify each county auditor and county treasurer of his action, and the county auditor and county treasurer shall make such entries in their accounts as will show that such deductions have been made; *provided*, that this section shall not apply so as to remove from the funds of any school district any moneys derived from any source other than by apportionments from the state fund or the county fund.

If the trustees of any school district shall certify to the superintendent of public instruction that a new building, or repairs

New build-
ings and
repairs, how
provided for

on an old school building, are necessary to the district, and that the trustees have been authorized by vote of the district, if a vote is required, to build such new school building, or to make such needed repairs, or that the balance in the funds of the district is necessary for the maintenance of school in the district, and that the trustees have estimated that the cost of such new school building, needed repairs, or school maintenance is to bedollars, the superintendent of public instruction shall make whatever investigation he may deem best and if he shall become satisfied that such new building or repairs are necessary in the district, or that the balance in the funds of the district is necessary for the maintenance of school in the district, and that the amount estimated to be spent for such new building, repairs, or maintenance of school is a reasonable amount to be set aside for the purpose mentioned, he shall not make the deductions as provided in this section, but he shall make such deductions as will leave the funds in the district, an amount equal to the estimated amount to be spent for such new building, repairs, or maintenance of school, together with two hundred and fifty dollars for each teacher assigned to that district upon the basis of one teacher for every thirty census children or fraction thereof as shown by the last preceding school census.

CHAPTER 11

DISTRICT SCHOOL LIBRARIES

Method for
apportioning
district
school
library fund

SEC. 153. It shall be the duty of the superintendent of public instruction in July of each year, after apportioning the public school moneys of each county among its respective districts, to set apart for each district out of the money thus appropriated to such district a sum of not less than three dollars nor more than five dollars for each teacher to which the district is entitled, calculating one teacher for every seventy-five census children or fraction thereof, and the further sum of not less than five cents nor more than ten cents for each census child as shown by the last school census, and the sums thus apportioned shall constitute for each district a library fund.

Amount for
libraries, how
determined

SEC. 154. The amount of money to be set apart and apportioned, within the limits provided by the preceding section, shall be determined by the superintendent of public instruction.

Books
approved by
state board

SEC. 155. The moneys herein designated and apportioned shall be expended for the purchase of books, approved by the superintendent of public instruction for the public school library of each district, and for no other purpose and shall be paid out and expended as the other school funds of such district are now paid out.

Trustees
authorized

SEC. 156. The board of school trustees of each district in this state is hereby authorized and directed to purchase books for public school libraries in accordance with the provisions of this act.

SEC. 157. The superintendent of public instruction is hereby

authorized and directed to make such rules and regulations for the purchase of books provided for, and for the preservation and use thereof, as may be proper, provided such rules and regulations do not in any wise conflict with the laws of the state.

Rules for
libraries

CHAPTER 12

SCHOOL BOOKS

SEC. 158. As now and heretofore provided by law, there shall be a text-book commission, to consist of members of the state board of education and of four additional members appointed by the governor. The four members appointed on this commission by the governor during the month of January, 1911, shall hold office from the date of appointment to the first day of March, 1915. During the month of February, 1915, and during the month of February every four years thereafter, the governor shall appoint four members of said commission, who shall hold office for four years from and after the first day of March succeeding their appointment, and who, with the members of the state board of education, shall constitute the state text-book commission. Such appointees shall be persons actively engaged in school work. They shall take the constitutional oath and have the same filed in the office of the secretary of state before entering upon the duties of their office. If any vacancy occur during the terms of such appointees, by death, resignation, or removal, the governor shall fill such vacancy by the appointment of some person eligible as provided above.

Text-book
commission,
how com-
posed

SEC. 159. The governor shall be ex officio president and the superintendent of public instruction ex officio secretary of said text-book commission. The commission shall adopt rules of procedure in harmony with the provisions of this act. Four members of the commission shall constitute a quorum for the transaction of business, but no action shall be taken by the commission unless a majority of the entire commission shall vote in favor thereof. All meetings of the commission shall be public, and the secretary shall keep a full and correct record of all proceedings, which record shall be open to the inspection of the public. Vote on the adoption of all text-books shall be by roll-call and the secretary shall record the name and vote of each member.

Officers of
text-book
commission

Meetings
public

SEC. 160. The state text-book commission shall hold its meetings to adopt text-books in the office of the superintendent of public instruction in Carson City on the third Tuesday in June, nineteen hundred and eleven, and on the third Tuesday in June every four years thereafter. The secretary at the request or with the consent of any three members of the board, may call special meetings of the text-book commission whenever there may be business to transact of such importance as to justify the call, stating definitely the purpose of the meeting. At the meeting held on the third Tuesday in June, nineteen hundred and eleven, and every four years thereafter on the third

Method of
adopting
text-books

Tuesday in June, the commission shall adopt a uniform series of text-books for exclusive use as text-books in all the public schools of the state. If a contract for any text-book adopted at any regular meeting of the text-book commission shall expire, either through the failure of the publishers of said book to fulfil the conditions of the contract, or for any other reason, the text-book commission may adopt another book to take the place of the one on which the contract has lapsed, after notifying the text-book publishers as hereinafter provided for in cases of regular adoption. When regular adoptions are being made the commission may adjourn from day to day; *provided*, the session shall not continue beyond ten actual days.

Meetings of
commission

SEC. 161. Immediately after the first meeting of the commission, and not later than the first day of April, 1911, and every four years thereafter, if the commission shall deem it advisable to make changes in the list of prescribed text-books, the secretary of the commission shall notify all publishers of text-books who shall have placed their names and postoffice addresses on file with the superintendent of public instruction, to be kept on file in the office of said superintendent of public instruction, that the text-book commission will meet, as herein provided, and will receive sealed proposals, up to twelve o'clock, noon, of said third Tuesday of June, 1911, and up to twelve o'clock, noon, of the third Tuesday of June every four years thereafter, for supplying the State of Nevada with a series of text-books for use in all the public schools of the state, for a period of four years from and after the first day of September, 1911, and for like periods of four years from and after the first day of September every four years thereafter, in the following branches, viz.: Reading, grammar, arithmetic, geography, history of the United States, physiology and hygiene, writing, spelling, drawing, music, and will also approve other books for supplemental use, as permitted in this act. Said sealed proposals shall be made in accordance with a form to be prescribed by the commission and shall be addressed to the superintendent of public instruction, Carson City, Nevada; and shall be indorsed "Sealed proposals for supplying text-books for use in the State of Nevada." Said proposals shall include a statement of the introductory price, the exchange price for new books in the hands of the dealers, the exchange price for second-hand books, and the retail price at which publishers will agree to furnish each text-book to the school children of Nevada at one or more places in each county as shall be designated by the commission. Whenever any contract shall be terminated by reason of the failure of any contracting publisher to observe the terms of the contract, or when any contract shall cease to be in force and effect, the text-book commission shall notify publishers to this effect, in a manner hereinbefore prescribed, that adoptions will be made to fill out the unexpired term of such contract, and that sealed bids shall be filed with the superintendent of public instruction on or

Methods of
awarding
contracts

before a date to be determined by the commission, to be specified in the notification to publishers.

SEC. 162. The publishers, contracting and agreeing to furnish books for use in the State of Nevada under the provisions of this act, shall cause to be prepared a special map and a special supplement descriptive of Nevada for the geography adopted by said commission. The map and special descriptive geography of Nevada shall be revised every four years by the publishers. They shall further agree to maintain the mechanical excellence of the books adopted by said commission, fully equal to the samples submitted, in binding, printing, quality of paper, and other essential features, and the books shall be of the latest revised edition.

Geographies to contain special matter for Nevada

SEC. 163. It shall be the duty of said text-book commission to meet at the time and place mentioned in said notice and to open all sealed proposals in public, in the presence of a quorum of said commission, to select and adopt such text-books for use in the public schools, and to approve such supplemental books as in the opinion of the commission will best subserve the educational interests of the state; *provided, however*, that the text-book commission may, at its discretion, reject any and all proposals, if it be deemed by it to be to the interest of the state so to do, and call for new proposals, stating the time when such new proposals shall be opened, which time shall not be later than thirty days from the rejection of the previous proposals.

Commission to adopt text-books

SEC. 164. The series of text-books so selected and approved by said text-book commission shall be certified to by the president and secretary, and said certificate, with a copy of the books named therein, shall be placed on file in the office of the superintendent of public instruction. Such certificate must contain a complete list of all books adopted and approved by said commission, giving introductory, exchange, and retail prices for which each text-book will be furnished, and the names of the publishers agreeing to furnish the same. The said books named in said certificate shall, for a period of four years, from and after the first day of September next following the date of such adoption, be used in all the public schools of the state to the exclusion of all others; *provided, however*, that nothing in any part of this act shall be construed so as to prevent the purchase or use by the district of any supplemental or reference books for use in the schools of this state.

Commission's choice the standard for Nevada schools

Supplemental books allowed

SEC. 165. The text-book commission shall have power to make such contracts for the purchase and use of text-books in the name of the state as they shall deem necessary, for the interests of the public schools of the state. Such contracts shall set forth the introductory, exchange, and retail price of each text-book, and such prices shall not be less favorable than the prices at which such books are sold in any other state; and such contract shall provide, further, that the contracting publisher shall, during the life of the contract, keep

Commission shall make contracts

on hand at one or more depositories, in each county as shall be designated by the commission, a sufficient number of copies of such text-books to supply the needs of the schools of the state, as ordered by the keepers of said depositories.

Contractors
to give bonds

Proviso

SEC. 166. All publishers contracting to furnish text-books adopted by the text-book commission shall be required to give bonds in an amount equal to one-half of the value of the books to be furnished during one school year, as estimated by the text-book commission, and such bonds shall be forfeited to the state distributive school fund, if such publishers fail to comply with the terms of the contract in any county of the state; *provided, however*, that such bonds shall not be forfeited through the unauthorized action of text-book dealers in this state if such publisher shall, upon notification by the superintendent of public instruction, promptly correct any violation of contract prices on the part of any local dealer. Upon information furnished by the state text-book commission, the attorney-general shall bring action for the recovery of the amount of any such bond of any publisher who shall have failed to comply with the terms of any contract, and the full amount named in such bond shall be deemed to be fixed and liquidated damages for the breach of such contract.

Contracts,
when in
effect

SEC. 167. Such contract with the publishers of text-books shall not take effect until such publishers shall have filed with the secretary of state, their bond, with at least two sufficient sureties, or a bond from a bonding company authorized to do business in this state, to be approved by the governor, and in such sum as shall be determined by the text-book commission.

Contracts
void, when

SEC. 168. In case the publishers of any text-books adopted by the text-book commission shall not, on or before the fifteenth day of July next following such adoption, have filed with the secretary of state a bond as hereinbefore provided, or in case such publishers shall at any time thereafter fail to comply with the terms of such contract, and if within reasonable time, after due notice shall have been given by the superintendent of public instruction, they shall have failed to comply with the conditions of the contract in any respect, the adoption of said books shall become null and void. The text-books adopted by the said text-book commission under this act shall, upon the compliance of the publishers with the aforesaid conditions, continue in use for the period of four years after the first day of September next following the date of such adoption, to the exclusion of all other text-books.

Price of text-
books pro-
mulgated

SEC. 169. Whenever the publishers of the books adopted under the provisions of this act shall have filed their bond as herein provided, it shall be the duty of the superintendent of public instruction to cause all prices of text-books as guaranteed by the publishers to be printed and distributed among the superintendents and school trustees, and it shall be the duty of the school trustees in each district to cause such prices

to be kept constantly posted in a conspicuous place in each schoolroom.

SEC. 170. The text-books adopted by the text-book commission shall be used in every public school in the state in the grades for which they are adopted, and no other books shall be used as text-books in such grades; *provided, however*, that this section shall not be interpreted in such a manner as to prohibit the use of supplemental books purchased by the district. Any school officer or teacher who shall violate the provisions of this act by requiring the pupils to use text-books other than those adopted by the text-book commission, or by permitting the use of such other books as texts, shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than twenty dollars, nor more than one hundred dollars. All superintendents and school officers are charged with the execution of this law, and the superintendent of public instruction shall require the trustees of the several school districts, or the clerks thereof, to report annually as to the text-books used in their schools.

Use of
authorized
books
compulsory

Penalty

Annual
report

SEC. 171. The members of the state text-book commission shall, with the exception of the governor, the superintendent of public instruction, and the president of the university, receive the sum of five dollars per diem for each day actually engaged in transacting the business of the commission, and actual traveling expenses. There is hereby appropriated the sum of five hundred dollars per year, or so much thereof as may be necessary to carry out the provisions of this act, from the state general fund. Bills for such compensation shall be allowed and paid in the usual manner. The state text-book commission shall not be in session more than ten days in any one year.

Per diem of
appointed
commission-
ers

SEC. 172. Any person who shall sell or bargain to sell any of the regularly adopted text-books for any amount more than the prices agreed upon by the several text-book publishers and the text-book commission, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty dollars, nor more than one hundred dollars; *provided*, that any local dealer in the state may, when sending out such books by mail, include in the selling price the cost of the postage necessary to send such books by mail.

Penalty for
overcharge
on books

CHAPTER 13

COUNTY HIGH SCHOOLS

SEC. 173. There may be established in any county in this state a high school; *provided*, that at any general or special election held in said county after the passage of this act, a majority of all the votes cast at such election, upon the proposition to establish a high school shall be in favor of establishing and maintaining such high school at the expense of said county.

County high
schools,
when
established
by popular
vote

SEC. 174. The board of county commissioners at any gen-

County commissioners to submit question to popular vote

eral election to be held in any county after the passage of this act, upon the presentation of a petition signed by fifty or more qualified electors, taxpayers of said county, at any regular meeting of said board held not less than eight weeks before any general or special election, must make an order submitting the question of establishing, constructing and maintaining a county high school to the qualified electors thereof. The board of county commissioners, upon the presentation of said petition, may order a special election for said purpose. Said election shall be conducted in the manner prescribed by law for conducting elections, and the ballots at such election shall have printed thereon the words "For a County High School" and the words "Against a County High School." The votes cast for and against said county high school at any election therefor, shall be counted and the returns thereof made and canvassed in the manner provided for by law for counting, making returns, and canvassing the votes of a general election; *provided*, that the election officers appointed to conduct any special election held in accordance with this act, as required by law, shall perform all services required of them by law in holding and conducting such elections, without any fees or pay therefor.

Ballots

Location of school, how determined

SEC. 175. If a majority of the votes cast on a proposition to establish a county high school shall be in the affirmative, it shall be the duty of the board of county commissioners, within thirty days after canvassing said vote, to locate the high school in the place in said county where the said board shall deem most suitable and convenient for the purpose. If, after the county commissioners shall have located said high school, there shall be presented a certified petition bearing the signatures of at least one-fourth of the qualified voters of such county according to the last general election returns, said petition requesting a vote on the question of the location of the county high school and specifying a desired location, said board of county commissioners shall submit the question of such location to the voters of the county at the next general election, or a special election called for the purpose of voting upon the question of locating or changing the county high school; *provided*, that in all cases where special elections have been called by the board of county commissioners of any county of this state previous to the passage of this act to submit the question of location of any county high school to the voters in any such county wherein two thousand or more votes were cast at the last general election, and wherein the assessed valuation of real and personal property is six million dollars or more, the board of county commissioners may, if said board deems it to the best interest of the people of such county, establish two county high schools; one at the place selected by the board of county commissioners and one at the place named in the petition presented to the said board of county commissioners praying for said special election in said county, and thereupon the said board may revoke the order calling said special election,

and in such cases no special election shall be held. At any general or special election at which the location of any county high school is submitted to the voters of the county, the form of ballot shall be:

Shall the County High School be located at.....? Yes.....

Shall the County High School be located at.....? No.....

Form of
ballot

In any other respects the provisions of the general election law shall be followed. If at any such election a majority of all voters who shall vote on the question of such location shall vote in favor of locating the county high school at the place designated in the petition, it shall be the duty of the county board of education to cause the high school to be located at such place, not later than the first day of the next following September. While the vote on the question of changing the location of any county high school is pending, no contract for the purchase of grounds or for the erection of a building shall be made. When the location of the county high school has been finally determined, the board of county commissioners shall estimate the cost of purchasing suitable grounds, procuring plans and specifications, erecting a building, furnishing the same, fencing and ornamenting the grounds, and the cost of running said school for the following twelve months; *provided*, that the estimate mentioned herein for purchasing suitable grounds, procuring plans and specifications, erecting a building, furnishing the same, and fencing and ornamenting the grounds shall not be made, if previous to the time when the commissioners are to make such estimate the legislature shall have authorized said county to issue bonds for such purpose.

SEC. 176. When such estimate shall have been made, the board of county commissioners shall thereupon immediately proceed to levy a special tax upon all the assessable property of the county, sufficient to raise the amount estimated. Said tax shall be computed, entered on the tax roll and collected, and the amount so collected shall be deposited in the county treasury and be known and designated as the "County High School Fund," and shall be drawn from the treasury in the manner now provided by law for drawing money from the treasury by school trustees; *provided, however*, that the tax levy for purchasing suitable grounds, procuring plans and specifications, erecting a building, and furnishing the same, fencing and ornamenting the grounds, may be deferred as long as a sufficient number of suitable rooms in a public school building can be secured for the purposes of such county high school at a reasonable rental. In case such levy be deferred until after the election of a county board of education, the levy shall be made by the board of county commissioners whenever so ordered by the county board of education, and the board of education shall be charged with the duty of purchasing grounds and erecting and furnishing such school building.

SEC. 177. The board of county commissioners shall act as

Temporary
county board
of education

a county board of education in the performance of the duties hereinbefore mentioned and shall continue to perform the duties of the county board of education until a county board of education shall have been elected or appointed and qualified as hereinafter provided, and at such time the board of county commissioners shall transfer all property and control of said school to the county board of education, who shall hold the same in trust for the county.

County
board of
education
elected

SEC. 178. At each general election there shall be elected a county board of education, to consist of three members, two of whom shall serve two years, and the other four years, and thereafter at each regular biennial election there shall be elected two members of said board, one of whom shall serve for two years and the other for four years. Each person elected as herein provided shall enter upon the duties of his office on the first Monday in January next following his election, and shall hold office until his successor is elected and qualified. If at any time a vacancy shall occur on said board, it shall be the duty of the superintendent of public instruction to appoint a member for the unexpired term.

Duties of
board

SEC. 179. It shall be the duty of the county board of education to furnish annually, an estimate of the amount of money needed to pay all the necessary expenses of running said school; to enforce the uniform high-school course of study adopted by the state board of education; to employ teachers holding Nevada state certificates of the high-school grade in full force and effect; to hire janitors and other employees, and discharge such employees when sufficient cause therefor shall exist; and to do any and all other things necessary to the proper conduct of the school.

Tax levy

SEC. 180. It shall be the duty of the board of county commissioners to include in their annual tax levy the amount estimated by the county board of education as needed to pay the expenses of conducting the county school; and such amount, when collected and paid into the county treasury, shall be known as the "County High School Fund," and may be drawn therefrom for the purpose of defraying the expenses of conducting said county high school in the manner now provided by law for drawing money from the county treasury by school trustees.

Eligible
pupils

SEC. 181. All county high schools shall be open for the admission of graduates holding diplomas from the eighth grade of the elementary schools of the state; *provided*, that the examinations for the said diplomas shall have been given under the direction and authority of the state board of education; and to such other pupils as shall pass the examination for admission to the county high school, which examination shall be conducted under the direction and authority of the state board of education.

SEC. 182. Nothing in this act shall be construed so as to prevent the principal of the county high school from acting as

principal of the grammar school of the district in which the county high school is located if so desired by the trustees of said school district and the county board of education. Principal may supervise other schools

SEC. 183. The county high school shall be under the same general supervision and shall be subject to the same laws, rules, and regulations governing the other schools of the state school system. Under general laws

SEC. 184. The county board of education is hereby empowered to provide for the rental, purchase, or erection of a suitable dormitory or dormitories and dining hall for high-school students, and to provide for the support, maintenance, and management of the same. The said dormitory or dormitories shall be considered part of the regular high-school equipment and organization. Dormitories and dining halls

CHAPTER 14

NORMAL TRAINING SCHOOLS

SEC. 185. Upon notification by the county board of education in counties where a county high school is in operation, or of the board of trustees of the school district in which the county-seat is located, in counties not having an established county high school, that the said county board of education or board of trustees and the board of county commissioners of the county have decided by a majority vote of each of the said boards to establish a normal training school, and that there are at least five bona fide applicants for a normal training course in such school, the state board of education shall, subject to the provisions herein named, grant permission to establish and maintain a normal training school for the purpose of giving free instruction and training in the principles of education and methods of teaching to residents of this state; *provided*, that no such normal training school shall be established in any county having within its borders a state normal school or state university; *and, provided further*, that but one such normal training school shall be established in any county. How established

SEC. 186. The state board of education shall constitute the normal training school board. Training school board

SEC. 187. The duties of the normal training school board shall be as follows:

1. To determine the qualification for admission to the normal training school; *provided*, that applicants who do not hold a diploma from an accredited high school or a teacher's certificate of at least the primary grade shall be required to pass an entrance examination. And said examination shall include all subjects taught in the high schools as provided by the laws of this state; Duties of training school board

2. To establish a course of study to be pursued for a period of not less than thirty-six weeks;

3. To grant certificates of graduation to such persons as finish the course adopted in such form as the normal training school board shall prescribe.

SEC. 188. The certificate of graduation shall entitle the

Graduation
certificate

holder thereof to a second-grade elementary certificate without further examination, and said certificate shall entitle the holder thereof to teach in any of the rural schools of this state not employing more than one teacher, and said certificate shall not be good for more than two years.

SEC. 189. For the purpose of maintaining such normal training schools as are herein described, it is further provided:

Provisions
for maintain-
ing schools

1. That the county in which a normal training school shall be established shall provide rooms with heating and equipment satisfactory to the normal training school board for the purposes of such school;

2. Upon certification of the state board of education that a normal training school has been established in any county, that the school has been properly equipped, that at least five bona fide students are in actual attendance, and that a competent normal-training teacher is employed, the state controller shall on the first day of October and the first day of February of each year set aside from any money in the state general fund not otherwise appropriated, a sum designated by the state board of education not exceeding nine hundred dollars and not less than six hundred dollars, to be known as the normal training school salary fund for County, to be used in payment of the teacher's salary and to be drawn from the state treasury in the usual manner. Any money remaining in such fund on the thirty-first day of August of each year shall revert to the state general fund;

3. In any county establishing a normal training school the normal training school board shall, previous to the first day of September in each year, estimate the cost of maintaining the rooms and equipment of the normal training school for the ensuing year and certify the amount estimated to the board of county commissioners of said county; *provided*, such estimate shall not exceed the amount of five hundred dollars for any one year. Claims for equipment and maintenance shall be just and legal charges upon the general fund of said county; *provided*, that not more than the amount estimated shall be allowed for any one year.

Authority
conferred

SEC. 190. The normal training school board is hereby given the power to make and put into effect any and all rules and regulations necessary to the proper conduct of any normal training school established under and by virtue of the provisions of this act.

CHAPTER 15

SCHOOL DISTRICT BONDS

Bonds may
be issued

SEC. 191. Any school district of the state, now existing or which may hereafter be created, is hereby authorized to borrow money for the purpose of erecting and furnishing a school building or buildings, maintaining the same, purchasing grounds on which to erect such building, or buildings, or for refunding floating indebtedness, or for any or all of these

purposes, by issuing negotiable coupon bonds of the district in the manner by this act provided.

SEC. 192. When the board of trustees of any school district shall deem it necessary to incur an indebtedness authorized by this act by issuing the negotiable coupon bonds of the district, said board of trustees shall first determine the amount of such bonds to be issued, and a certificate of such determination shall be made and entered in and upon the records of said district. Thereupon the board of school trustees shall, by resolution duly made and entered in and upon the records of said board, submit the question of contracting a bonded indebtedness for any of the purposes authorized by this act to a vote of the duly qualified electors of the district at the next general election of the school trustees, or at a special election which the school trustees are hereby authorized to call for such purpose.

Question of
issuing bonds
submitted to
popular vote

SEC. 193. The election provided in this act shall be called and held, and the vote canvassed and returned, in all respects as nearly as may be in accordance with the provisions of law now governing the election of school trustees; *provided*, that if there is a newspaper published in the school district, the notice shall be published for at least once a week for two successive weeks, preceding said election. The election notice must contain:

Election, how
conducted

First—The time and place of holding such election.

Second—The names of inspectors to conduct the same.

Third—The hours during the day in which the polls will be open.

Election
notice

Fourth—The amount and denomination of the bonds, the rate of interest and the number of years, not exceeding twenty, the bonds are to run. All persons voting on the question submitted at such election shall vote by separate ballot whereon is placed the words "For the Bonds" or "Against the Bonds." The ballots shall be deposited in a separate box provided by the school trustees for that purpose.

SEC. 194. If upon the official determination of the result of such election it appear that a majority of all the votes cast are "For the Bonds," the board of trustees, as soon as practicable, shall issue the negotiable coupon bonds of the district in such form and denomination as the board of trustees may direct, said bonds to run for a period not to exceed twenty (20) years from the date of issue, and bearing interest at a rate not exceeding eight (8%) per cent per annum, payable semiannually, both principal and interest payable at such place as the board of trustees may direct, said bonds not to be sold for less than their par value. And before said sale is made notice of such proposed sale must be given by publication, in a newspaper, if there is a newspaper published in the district, for at least one week before said bonds are disposed of, inviting sealed bids to be made for said bonds, and said bonds are to be sold to the highest and

Bonds to run
no longer
than twenty
years

Sale of bonds
to be pub-
lished

best bidder for said bonds; *provided*, if there is no newspaper published in said school district, the notice herein provided for shall be given by posting in three public places in said school district for at least ten days before said bonds are disposed of.

Bonds
signed

Seal

SEC. 195. All bonds issued under the provisions of this act shall be signed by the chairman of the board of trustees and be duly attested by the clerk thereof, and shall bear the seal of the district if the district has a seal, and shall be countersigned by the county treasurer.

Register of
bonds

SEC. 196. Before any district shall issue bonds under the provisions of this act, all such bonds shall be presented to the treasurer of the county to be duly registered by him in a book kept for that purpose in his office, which registry shall show the school district, the amount, the time of payment, and the rate of interest, and all such bonds shall bear the certificate of the county treasurer to the effect that they are issued and registered under the provisions of this act. After such registry the bonds shall be at the disposal of the board of trustees of the district issuing the same, to be sold for the purpose of raising funds for the objects designated by this act.

Special tax
for interest
and redemption
of bonds

SEC. 197. Whenever any school district shall issue any bonds under the provisions of this act it shall be the duty of the board of commissioners of the county in which such district may be situated to levy and assess a special tax on all the taxable property of such district in an amount sufficient to pay the interest thereon when the same shall become due according to the tenor and effect of said bonds, and the county treasurer shall collect the same as other taxes are collected, in cash only, keeping the same separate from other funds received by him; and if there shall be any surplus after paying said interest and the expenses of collecting such special tax, the treasurer shall without delay pass the same to the credit of such school district, and such funds so passed to the credit of the district shall be subject to the disposal of the board of trustees; and beginning with the year the bonds are issued, and annually thereafter, until the full payment of said bonds has been made, the board of county commissioners of the county in which said school district is situated shall levy and assess a special tax, and shall cause said special tax to be collected on all property of the school district, including the net proceeds of mines, sufficient to pay annually a proportion of the principal of said bonds equal to a sum produced by taking the whole amount of said bonds outstanding and dividing it by the number of years said bonds then have to run, which amount shall be levied, assessed, and collected in the same manner as the tax for the payment of the interest coupons and when collected shall be known as the "Sinking Fund," and shall be

Sinking fund

used only in the payment of such bonds. The sinking fund thus provided may be applied to the purchase and cancellation of the outstanding bonds of the district. At the maturity of such bonds the county treasurer shall call in and pay such

bonds and accrued interest thereon and duly cancel the same, and certify his action to the board of trustees of the school district.

SEC. 198. No change in the boundary lines of any school district shall release the taxable real property of the district from assessment and levy of the taxes to pay the interest and principal of such bonds, and if there shall be any change in the boundary of such school district so as to leave any portion of the taxable real property of the district which was subject to taxation in the district at the time of the issue of such bonds, the assessment and levy of taxes for the payment of the principal and interest of such bonds shall be made on such property as if it were still within the district, and if there shall be any change of the boundary lines of such school district so as to annex or include any taxable or real property, after the issue of such bonds, the real property so included or annexed shall thereafter be subject to the assessment and levy of a tax for the payment of the principal and interest of such bonds.

Change in boundary not to release property from taxes

SEC. 199. All taxes levied and assessed as in this act provided shall constitute a lien on the property charged therewith, from the date of the levy thereof by the county commissioners, or the entry thereof on the assessment roll of the county auditor, until the same are paid, and thereafter, if allowed to become delinquent, shall be enforced in the same manner as is now provided by law for the collection of state and county taxes. And no additional allowance fee, or compensation whatever shall be paid to any officer for carrying out the provisions of this act.

Taxes constitute lien on property

SEC. 200. Any school district of the state is hereby authorized to borrow money for the purpose of purchasing grounds, erecting buildings, and furnishing, equipping, and maintaining the same, for instruction in industrial training, manual training, domestic science, and agriculture, or for any one or all of these purposes, by issuing negotiable coupon bonds of the district.

Bonds for various purposes

SEC. 201. Such bonds shall be determined upon, submitted to vote of the district interested, authorized, issued and paid, in accordance with the provisions of sections 191 to 199, inclusive.

Under general act

SEC. 202. No change in the boundary lines of any school district that has been, or may hereafter be, bonded for school purposes shall operate to release any part of the property of such district, as existing prior to such change, from taxation for payment of the outstanding bonds issued prior thereto.

Change in districts not to release responsibility for bonds

CHAPTER 16

COMPULSORY EDUCATION

SEC. 203. Each parent, guardian, or other person, in the State of Nevada, having control or charge of any child between the ages of eight and sixteen years shall be required to send such child to a public school during the time in which a pub-

Various excuses for nonattendance

lie school shall be in session in the school district in which said child resides; but such attendance shall be excused:

Various
excuses for
nonattend-
ance

1. When satisfactory evidence is presented to the board of trustees of the school district in which such child resides, that the child's bodily or mental condition is such as to prevent or render inadvisable attendance at school, or application to study. A certificate from any reputable physician that the child is not able to attend school, or that its attendance is inadvisable, must be taken as satisfactory evidence by any such board;

2. When the child has already completed the eight grades of the prescribed grammar-school course;

3. When satisfactory evidence is presented to the board of trustees that the child is being taught in a private school, or by a private tutor, or at home, by any person capable of teaching in such branches as are usually taught in the primary and grammar schools of this state;

4. When satisfactory evidence is presented to the board of trustees that the child's labor is necessary for its own or its parent's support;

5. When the deputy superintendent shall determine that the child's residence is located at such distance from the public school as to render attendance impracticable or unsafe.

Truancy
defined

SEC. 204. Any child shall be deemed a truant, in the meaning of this act, who shall have been absent from school, without valid excuse, more than three days; and absence for any part of day shall be considered as absence for that entire day. The teacher, attendance officer, or other person connected with the schools, shall send or deliver a written notice of such truancy to the parent, guardian, or other person, having control or charge of the child. After such notice has thus been furnished or sent to said parent, guardian, or other person, any child who is absent from school thereafter within the school year, without valid excuse, one or more days or parts thereof, shall again be deemed a truant. Any child shall be declared an habitual truant who shall have been deemed a truant three or more times within the school year. Any child who has once been declared an habitual truant and who in a succeeding year is absent from school, without valid excuse, for one or more days or parts thereof, may again be declared an habitual truant.

Punishment
of parent

SEC. 205. Any parent, guardian, or other person having control or charge of any child, to whom notice has been given of truancy, as provided in section 204 of this act, and who fails to prevent the child's subsequent truancy within that school year, shall be deemed guilty of a misdemeanor, and upon conviction shall be liable, for the first offense, to a fine of not more than ten dollars or imprisonment for not more than five days, and for each subsequent offense he shall be liable to a fine of not less than ten or more than fifty dollars, or to imprisonment for not less than five nor more than twenty-five days, or to both such fine and imprisonment.

SEC. 206. The board of trustees of any school district shall, on the complaint of any person, make a full and impartial investigation of all charges against parents or guardians or other persons having control or charge of any such child, for violation of any of the provisions of this act. If it shall appear upon such investigation that any such parent or guardian or other person has violated any of the provisions of this act, it is hereby made the duty of the clerk of such board of trustees to make and file in the proper court a criminal complaint against such parent, guardian, or other person, charging such violation, and to see that such charge is prosecuted by the proper authorities; *provided*, that in such school districts having an attendance officer, such officer shall, if so directed by the board of trustees, make and file such complaint, and see that such charge is prosecuted by the proper authorities.

School trustees to make investigation

Any taxpayer, or any school officer or deputy school officer in the State of Nevada shall be eligible to make and file in the proper court a criminal complaint against any parent, guardian, or other person who shall violate any of the provisions of law requiring the attendance of children in the public schools of the state.

SEC. 207. The board of trustees of any school district may appoint and remove at pleasure an attendance officer and shall fix the compensation therefor, and shall prescribe the duties of said officer, not inconsistent with law, and make rules and regulations for the performance thereof. It shall be the duty of the attendance officer, or any peace officer, or any other school officer, to arrest during school hours, without a warrant, any child between the ages of eight and sixteen years, who has been reported to him by the teacher, the city superintendent, or other person connected with the schools, as an absentee from instruction upon which he is lawfully required to attend within the school district. Such arresting officer shall forthwith deliver the child so arrested to the teacher, parent, guardian, or other person having control or charge of said child.

Trustees may appoint and remove attendance officer

SEC. 208. Boards of trustees are hereby authorized to set apart any school building or buildings or any room or rooms in any school building or buildings for the establishment of special or ungraded schools, to provide for the instruction of habitual truants as defined in section two of this act, or for pupils who have been insubordinate or disorderly during attendance at school. Boards of trustees are also authorized to purchase sites and erect buildings for such purposes, in the same manner as other school sites and school buildings may be purchased and erected; or boards of trustees may rent suitable property for special or ungraded rooms without being so directed by vote of the district. Teachers of such special or ungraded schools shall have the same qualifications as other teachers in the grades, and shall be paid from the same funds. Boards of trustees are hereby authorized to assign habitual truants and other pupils who have been insubordinate or dis-

Separate rooms for habitual truants

orderly during attendance at school to such special and ungraded schools for a period not to exceed the remainder of the school year. Such pupils, however, may be restored to their former room or grade when in the judgment of the board there has been sufficient improvement to warrant the belief that their example and influence will no longer be a detriment to the room to which they shall return.

Persons
encouraging
truancy
punished

SEC. 209. Any person who induces or attempts to induce any child to be absent unlawfully from school, or who knowingly employs or harbors while school is in session any child absent unlawfully from school, shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine of not more than fifty dollars or by imprisonment of not more than twenty-five days, or by both such fine and imprisonment. The attendance officer or any other school officer is hereby empowered to visit any place or establishment where minor children are employed to ascertain whether the provisions of this law are duly complied with, and may demand from all employers of such children a list of children employed, with their names and ages.

Punishment
for false
statements

SEC. 210. Any parent, guardian, or other person who makes a false statement concerning the age or school attendance of a child between the ages of eight and sixteen years who is under his control or charge, such false statement being made with intent to deceive under this act, shall be deemed guilty of a misdemeanor, and on conviction, shall be punished by a fine of not more than fifty dollars or by imprisonment of not more than twenty-five days, or by both such fine and imprisonment.

Disposal of
fines

SEC. 211. All fines collected under the provisions of this act shall be paid into the permanent school fund of the state.

CHAPTER 17

PROTECTION OF SCHOOL CHILDREN

Misde-
meanor to
interfere
with pupils

SEC. 212. It shall be a misdemeanor for any person or persons to detain, beat, whip, or otherwise interfere with any pupil or pupils attending any public school in the State of Nevada on his, her, or their way to or from such school against the will of such pupil or pupils.

Misde-
meanor to
disturb
school

SEC. 213. It shall be a misdemeanor for any person or persons to disturb the peace of any public school in the State of Nevada by using vile or indecent language, or by threatening or assaulting any pupil or teacher within the building or grounds of such school, and for the purpose of this act the ground of every public school in the State of Nevada shall extend to a distance of fifty yards in all directions from the school building.

Penalty

SEC. 214. Any person or persons convicted of a misdemeanor under either of the foregoing sections of this act shall be subject to a fine not exceeding three hundred dollars or imprison-

ment in the county jail not to exceed six months, or to both such fine and imprisonment.

CHAPTER 18

PROTECTION OF SCHOOL PROPERTY

SEC. 215. It shall be a misdemeanor for any person or persons to wilfully and maliciously injure, mark, or deface any church edifice, schoolhouse or other building, public or private, its fixtures, books, or appurtenances, or to commit any nuisance therein, or to purposely and maliciously commit any trespass upon the grounds attached thereto, or any fixtures placed thereon, or any enclosure or sidewalk about the same, or in any manner to maliciously and purposely interfere with or disturb those peaceably assembled within such building or buildings.

Injure or deface property

SEC. 216. Any person or persons convicted of a misdemeanor under the foregoing section of this act shall be subject to a fine, not exceeding two hundred dollars, or to imprisonment in the county jail not to exceed six months, or to both such fine and imprisonment.

Penalty

CHAPTER 19

LOCATION OF HOUSES OF ILL-FAME

SEC. 217. It shall be unlawful for any owner or agent of any owner, or any other person, to keep any house of ill-fame, or to let or rent to any person whomsoever, for any length of time whatever, to be kept or used as a house of ill-fame, or resort for the purpose of prostitution, any house, room, or structure situated within eight hundred yards of any schoolhouse or schoolroom used by any public or common school in the State of Nevada, or within eight hundred yards of any church edifice, building, or structure, erected and used for devotional services or religious worship in the State of Nevada.

No disreputable house within 800 yards of school buildings or churches

SEC. 218. Any person violating the provisions of section 217 of this act shall be deemed guilty of a misdemeanor, and on conviction shall be fined not less than twenty-five dollars nor more than three hundred dollars, or to be imprisoned in the county jail not less than five nor more than sixty days, or by both such fine and imprisonment, in the discretion of the court.

Penalty

SEC. 219. It shall be the duty of the district attorney and sheriff of each county in this state to see that the provisions of this act are strictly enforced and carried into effect, and upon neglect so to do they, or either of them, shall be deemed guilty of a misdemeanor in office, and may be proceeded against as provided in sections 63 to 72, inclusive, of an act entitled "An act relating to elections," approved March 12, 1872. (See Cutting's Compiled Laws, sections 1646 to 1653, inclusive.)

Duties of sheriff and district attorney

CHAPTER 20

SEC. 220. The provisions of this act, so far as they are substantially the same as those of existing statutes, shall be

Provisions construed

construed as a continuation thereof, and not as new enactments.

SEC. 221. An act entitled:

Acts
repealed

1. An act to define the constitution, organization, powers, and duties of the state board of education and matters properly connected therewith, approved March 16, 1895;
2. An act to provide for the reorganization of the system of school supervision and maintenance, to repeal all acts and parts of acts in conflict therewith, and matters properly connected therewith, approved March 29, 1907;
3. An act to create a state text-book commission and to authorize said commission to adopt a uniform series of text-books for the public schools of Nevada, and matters properly connected therewith, approved March 22, 1907;
4. An act providing for the date of election of school trustees, and matters properly connected therewith, approved March 16, 1909;
5. An act to provide for the election of school trustees, and matters properly connected therewith, approved March 16, 1897;
6. An act to amplify the powers of boards of school trustees, approved March 20, 1901;
7. An act permitting the establishment of county high schools in the various counties of this state, and providing for the construction, maintenance, management, and supervision of the same, to repeal all acts and parts of acts in conflict herewith, and matters properly connected therewith, approved March 24, 1909;
8. An act for the establishment of normal training schools, and for the maintenance and control of the same, approved March 20, 1909;
9. An act to provide for union school districts, and matters properly connected therewith, approved March 3, 1909;
10. An act to authorize boards of county commissioners to enlarge the boundaries of certain school districts, or to consolidate two or more into one, and matters properly connected therewith, approved March 11, 1909;
11. An act to provide an emergency school fund for new school districts, prescribing its use and manner of disbursement, and other matters properly connected therewith, approved February 13, 1909;
12. An act to provide for the disposal of funds and property of abolished school districts, approved March 5, 1909;
13. An act to amend an act entitled "An act to enable the several school districts of the state to issue negotiable coupon bonds for the purpose of erecting and furnishing school buildings, or purchasing ground, or for refunding floating funded debts, and providing for the payment of the principal indebtedness thus authorized and the interest thereon," approved March 12, 1907, approved February 8, 1908;

14. An act to enable school districts to issue negotiable coupon bonds for the purpose of erecting, furnishing, equipping, and maintaining buildings for industrial training, manual training, domestic science, and agriculture, or any one or all of these purposes, and providing for the payment of the principal indebtedness and the interest thereon, and other matters properly connected therewith, approved March 16, 1909; Acts repealed
 15. An act to protect the security of school bonds, approved March 13, 1909;
 16. An act providing for compulsory education, and other matters properly connected therewith, providing for penalties for the violation of any of the provisions thereof, and repealing any and all prior laws on the subject of compulsory education, approved March 20, 1909;
 17. An act to secure protection to school children and to preserve the peace of public schools, and matters properly connected therewith, approved March 6, 1893;
 18. An act to prevent malicious injury to church, school, and other buildings and property, and to protect persons from malicious annoyance, and matters properly relating thereto, approved March 13, 1895;
 19. An act to regulate houses of prostitution, dance-houses, and houses where beer, wine, or spirituous liquors are sold, approved February 26, 1887;
 20. An act to exempt teachers from jury duty, approved March 14, 1903;
 21. An act to require school trustees to procure and hoist on public schoolhouses the United States flag, approved March 13, 1909;
 22. An act adopting the design of the flag of the State of Nevada, approved February 25, 1905;
 23. An act establishing Arbor Day, approved February 10, 1887;
 24. An act to provide for the dissemination of knowledge in the public schools relative to the preservation of song-birds, fish, and game, approved March 12, 1901;
- are hereby repealed and all other acts and parts of acts in conflict with this act are hereby repealed.
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CHAP. 134—*An act entitled "An act to provide for the organization and government of drainage, irrigation and water storage districts, to provide for the acquisition of water and other property, and for the distribution of the water thereby for irrigation purposes, and for other matters properly connected therewith."*

[Approved March 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

CHAPTER 1—ORGANIZATION OF DISTRICT

Irrigation
districts, how
organized

SECTION 1. *Who May Propose Organization.* Whenever a majority of the holders of title, or evidence of title, to lands susceptible of one mode of irrigation from a common source and by the same system of works, desire to provide for the irrigation of the same, or, when for drainage purposes and other reasons, they desire to organize the proposed territory into one district, they may propose the organization of an irrigation district under this act; *provided*, said holders of title, or evidence of title, shall hold such title, or evidence of title, to at least one-fourth part of the total area of the land in the proposed district; *provided, further*, that no person shall be a competent signer of a petition provided in this act for the formation of an "irrigation district" who is not the holder of title or evidence of title to not less than five acres of land irrigated or susceptible of irrigation from the said common source of water supply, which shall be accessible for the purpose of the district. The equalized county assessment roll next preceding the presentation of a petition for the organization of an irrigation district shall be sufficient evidence of title for the purpose of this act, but other evidence may be received, including receipts or other evidence of rights of entrymen on land under any law of the United States or this state, and such entrymen shall be competent signers of such petition, and the land on which they have made such entries shall, for the purpose of said petition, be considered as owned by them.

Petition for
organization

SEC. 2. *Petition for Organization.* Whenever it is proposed to form an irrigation district, a petition shall first be presented to the board of county commissioners of the county in which the lands, or the greater portion thereof, are situated, signed by the required number of freeholders of such proposed district, possessing the qualifications provided for in section one of this act, which petition shall set forth and particularly describe the proposed boundaries of such district, and shall pray that the same may be organized under the provisions of this act. The petitioners must accompany the petition with a good and sufficient bond, to be approved by the said board of county commissioners, in double the amount of the probable cost of organizing such district, conditioned that the bondsmen will pay all said costs in case said organization shall not be effected.

Such petition shall be presented at a regular meeting of said board, and a notice thereof shall be published for at least two weeks before the time at which the same is to be presented, in some newspaper printed and published in the county where said petition is presented, which newspaper shall be designated by said board as the paper most likely to impart notice of the hearing of said petition, the said notice to set forth that said petition has been filed, the time of the meeting of said board to consider said petition, and a description of the territory to be embraced in such proposed district.

Notice published

SEC. 3. *Commissioners Define Boundaries.* When such petition is presented, and it shall appear that the notice of the presentation of said petition has been given as required by law, and that said petition has been signed by the requisite number of petitioners as required by this act, the commissioners shall then proceed to define the boundaries of said proposed district from said petition and from such applications for the exclusion of lands therefrom and inclusion of lands therein as may be made in accordance with the provisions of this act. The said commissioners may adjourn such examination from time to time not exceeding three weeks in all and shall, by final order duly entered, define and establish the boundaries of such proposed district; *provided*, that said board shall not modify such proposed boundaries described in the petition so as to change the object of said petition or so as to exempt from the operation of this act any land within the boundaries proposed by the petition susceptible to irrigation by the same system of waterworks applicable to other lands in such proposed district; nor shall any land be included in such district if the owner thereof shall make application at such hearing to withdraw the same; *provided, also*, that contiguous lands not included in such proposed district, as described in the petition, may, upon application of the owner or owners thereof, be included in such district upon such hearing; *provided*, that in the hearing of any such petition the board of county commissioners shall disregard any informalities therein, and in case they deny the same, or dismiss it for any reasons on account of the provisions of this act not having been complied with, which are the only reasons upon which they shall have a right to refuse or dismiss the same, they shall state their reasons in writing therefor in detail, which shall be entered upon their records, and in case the reasons are not well founded, a writ of *mandamus* shall, upon proper application therefor, issue out of the district court of said county, compelling them to act in compliance with this act, which writ shall be heard within twenty days from the date of issuance, and which twenty days shall be excluded from the forty days given the commissioners herein to act upon said petition.

Commissioners to define boundaries of districts

Proviso

Proviso

When the boundaries of any proposed district shall have been examined and defined as aforesaid, the county commissioners shall forthwith make an order allowing the prayer of said petition, defining and establishing the boundaries and of

Duties of county commissioners

Popular election, when	<p>designing the name of such proposed district, and also divide such district into three divisions, as nearly equal in size as may be practicable, and one director, who shall be a freeholder and qualified elector in the division, shall be elected as a director, from such division, by the freeholders who are also qualified electors in the proposed district at large. No more than one person shall be elected as a director from one and the same division of such district. Thereupon the said commissioners shall by further order duly entered upon their record call an election of the freeholders, who are also qualified electors of said district, to be held for the purpose of determining whether such district shall be organized under the conditions of this act, and by such order shall submit the names of one or more persons from each of the three divisions of said district, as herein provided, to be voted for as directors therein. Each of said divisions shall constitute an election district for the purpose of this act. Said board of county commissioners shall then give notice of such election to be held in such proposed district, which notice shall be published for three weeks prior to such election in a newspaper within the county or counties within which such proposed district lies. Such notice shall require the said electors to cast ballots which shall contain the words "Irrigation District—Yes" or "Irrigation District—No," or words equivalent thereto, and also the names of persons to be voted for to fill the various elective offices by this act provided for. For the purpose of this election above provided for, the said board of county commissioners must establish a convenient number of election precincts and polling places in said proposed districts and define the boundaries thereof, which said precincts may thereafter be changed by the board of directors of such district, and shall also appoint the judges of election for such precinct, one of whom shall act as clerk of the election.</p>
Ballots	
Precincts	
Officers of district	<p>The officers of such district shall consist of three directors, as aforesaid, a secretary and a treasurer, who shall be appointed by the board of directors.</p>
Qualifications of voters	<p>At said election and all elections held under the provisions of this act, all persons who are qualified electors within the proposed district, and who are as well competent signers of the petition as provided in section one of this act who shall be entitled to vote and none others.</p>
Election conducted regularly	<p>SEC. 4. <i>Election.</i> Except as in this act otherwise provided, all such elections shall be conducted as nearly as practicable in accordance with the general election laws of this state. The said board of county commissioners shall meet on the second Monday succeeding such election and proceed to canvass the votes cast thereat, and if, upon such canvass it appears that at least a majority of said legal electors in said district have voted "Irrigation District—Yes," the said board shall, by an order entered on their minutes, declare such territory duly organized as an irrigation district, under the name and style</p>
Canvass of votes	

theretofore designated, and shall declare the persons receiving, respectively, the highest number of votes for such several offices, to be duly elected to such office. Said board shall cause a copy of such order, including a plat of said district duly certified by the clerk of the board of county commissioners to be immediately filed for record in the office of the county clerk of each county in which any portion of such lands are situated, and no board of county commissioners of any county, including any portion of such district, shall, after the date of organization of such district, allow another district to be formed, including any of the lands of such district, without the consent of the board of directors thereof, and from and after the date of such filing, the organization of such district shall be complete, and the officers thereof shall immediately enter upon the duties of their respective offices, upon qualifying, in accordance with the law, and shall hold such offices, respectively, until their successors are elected and have qualified.

Canvass of
vote

SEC. 5. Elections, When Held. The regular election of said district shall be held on the first Tuesday after the first Monday in April of each year thereafter, at which shall be elected three directors by the electors of the district at large. The terms of the office of the directors shall be as follows: The directors shall, immediately after the first regular election following such organization, be selected by lot so that one shall hold his office for the term of one year, one for the term of two years, and one for the term of three years, and an election shall be held in each district on the first Tuesday after the first Monday in April of each year thereafter, at which one director shall be elected for a term of three years, or until his successor is elected and qualified. Such director must be a qualified elector and a freeholder of the division of the director whom he is to succeed in office. Within ten days after receiving the certificates of election hereinafter provided for, such officer shall take and subscribe to an official oath and file the same in the office of the board of directors, and execute the bond hereinafter provided for. Each member of said board of directors shall execute an official bond in the sum of fifteen thousand dollars (\$15,000), which said bonds shall be approved by the judge of the district court in and for said county where such organization is effected, and shall be recorded in the office of the county recorder thereof and filed with the secretary of said board. All official bonds provided for in this act shall be in the form prescribed by law.

Subsequent
elections reg-
ularly held

Terms of
office

Official
bonds

SEC. 6. Directors. The office of the board of directors shall be located in the county where the organization was effected. Fifteen days before any election held under this act subsequent to the organization of the district, the secretary, who shall be appointed by the board of directors, shall cause notice specifying the polling places in each election precinct to be posted in three public places in each election precinct, of the time and

Directors

Election
notice

Election
notice

place of holding the election, and shall also post a general notice of the same in the office of said board, which shall be established and kept at some fixed place to be determined by said board in said county. Prior to the time for posting the notice, the board must appoint from each precinct from the electors thereof, three judges, one of whom shall act as clerk, who shall constitute a board of election for such precinct. If the board fails to appoint a board of election, or the members appointed do not attend the opening of polls on the morning of election, the electors of the precinct present at that hour may appoint the board, or supply the place of an absent member thereof. The board of directors must, in its order appointing the board of election, designate the hour and the place in the precinct where the election must be held. At least four weeks before any such election, said board of directors shall appoint a registrar for each precinct of the district, except the precinct in which the office of the secretary of the board is located. In the precinct in which his office is located, or where there is but one voting precinct in the district, the secretary of the district shall act as registrar. Such registrars shall be governed in the performance of their duties by the general election laws of the state as far as they are applicable, and must be at their places of registration to receive applications for registration, from 9 o'clock a. m. to 9 o'clock p. m., on each of three Saturdays next preceding the date of election. In addition to the usual elector's oath, the following shall be added: "As I am a resident in, and holder of land within the boundaries of Irrigation District." No election for any purpose shall be held in any irrigation district without such registration and only those persons duly registered shall be allowed to vote thereat.

Election con-
ducted same
as general
election

SEC. 7. *Conduct of Election—Canvass of Returns—Filling of Vacancies.* The said judge shall elect a chairman, who may administer all oaths required in the progress of an election, and appoint judges and clerks, if during the progress of an election any judge or clerk ceases to act. Any member of the board of election, or any clerk thereof, may administer and certify oaths required to be administered during the progress of the election. The board of election of each precinct must, before opening the polls, appoint two clerks to act as clerks of the election. Before opening the polls, each member of the board and each clerk must take and subscribe to an oath to faithfully perform the duties imposed upon them by law. Any elector of the precinct may administer and certify such oath. The time of opening and closing the polls, the manner of conducting the election, canvassing and announcing the result, the keeping of the tally-list and the making and certifying said results, and the disposition of the ballots after election, shall be the same, as near as may be, as provided for elections under the general election law of the state; *provided*, that the returns shall be delivered to the secretary of the dis-

Canvass of
returns

strict, and that no list, tally-paper or certificate returns from any election, shall be set aside or rejected for want of form if it can be satisfactorily understood. The board of directors must meet at its usual place of meeting on the first Monday after each election to canvass the returns, and they shall proceed in the same manner and with like effect, as near as may be, as the board of county commissioners in canvassing the returns of general elections, and when they shall have declared the result, the secretary shall make full entries in his record in like manner as is required of the county clerk in general elections. The board of directors must declare elected the person or persons having the highest number of votes given for each office. The secretary shall immediately make out and deliver to such person or persons a certificate of election signed by him and authenticated with the seal of the board. In case of a vacancy in the office of the director, the vacancy shall be filled by appointment by the remaining members of the board from the division in which the vacancy occurred. An officer appointed to fill a vacancy, as above provided, shall hold his office until the next regular election of said district, at which election, a director shall be elected for the remainder of the unexpired term.

Certificates
of election

Vacancies,
how filled

SEC. 8. *Voting, and Count of Ballots.* Voting may commence as soon as the polls are open and may continue during all the time the polls remain open, and shall be conducted, as nearly as practicable, in accordance with the provisions of the law relating to elections. As soon as the polls are closed, the judge shall open the ballot-box and shall commence counting the votes; and in no case shall the ballot-box be removed from the room in which the election is held until all the ballots have been counted. The counting of ballots shall in all cases be public. The ballots shall be taken out one by one by the chairman of the board of election or one of the judges, who shall open them and read aloud the name of each person contained thereon and the office for which every such person is voted for. Each clerk shall write down each office to be filled, and the name of each person voted for for such office, and shall keep the number of votes by tallies as they are read by such chairman or judge. The counting of votes shall continue without adjournment until all the votes have been counted.

Voting

Count of
ballots

SEC. 9. *Disposal of Ballots.* As soon as all votes are read off and counted, a certificate shall be drawn up on each of the papers containing the poll-list and tallies, or attached thereto, stating the number of votes each one voted for has received, and designating the office to be filled for which he was voted for, which number shall be written in words and figures at full length. Each certificate shall be signed by all the members of the board of election and by both clerks. One of said certificates, with the poll-list and tally-paper to which it is attached, shall be retained by the chairman of the board of election, and preserved by him for at least thirty days. The ballots

Ballots, how
disposed of

Ballots, how
disposed of

shall be strung on a cord or thread by said chairman, during the counting thereof, in the order in which they are entered upon the tally-lists by the clerks; and said ballots, together with the other of said certificates, with the poll-list and tally-paper to which it is attached, shall be sealed by the said chairman in the presence of the other of said judges and clerks, and endorsed "Election returns ofprecinct," and be directed to the secretary of the board of directors; it shall be immediately delivered by said chairman or by other safe and responsible carrier designated by him, to said secretary, and the ballots shall be kept unopened for at least thirty days, and if any person be of the opinion that the vote of any precinct has not been correctly counted, he may appear on the day appointed for the board of directors to open and canvass the returns, and demand a recount of the precinct that is claimed to have been incorrectly counted.

Informalities
disregarded

SEC. 10. *Informalities Disregarded—Postponement of Canvass.* No list, tally-paper or certificate return from any election, shall be set aside or rejected for want of form if it can be satisfactorily understood. If at the time of the meeting, the returns of each precinct in which polls have been opened have been received, the board of directors must then and there proceed to canvass the returns; but if all the returns have not been received, the canvass must be postponed from day to day until all the returns have been received, or until six postponements have been had. The canvass must be made public and by opening the returns and counting the votes of the district for each person voted for and declaring the result thereof.

Canvass
made public

Statement of
result

SEC. 11. *Statement of Result.* The secretary of the board of directors must, as soon as the result is declared, enter on the records of such board a statement of such results, which statement must show:

What state-
ment must
show

(a) The whole number of votes cast in the district and in each voting precinct thereof.

(b) The name of the person or persons voted for.

(c) The office to fill which each person was voted for.

(d) The number of votes given in each precinct to such person or persons.

(e) The number of votes given in the district for such person or persons.

The board of directors must declare elected the person or persons having the highest number of votes given for each office.

CHAPTER 2—POWERS AND DUTIES OF THE BOARD OF DIRECTORS

Election of
officers

SEC. 12. *Elections of Officers and Meetings of Board.* On the first Tuesday in May, next following their election, the board of directors shall meet and organize as a board, elect a president from their number and appoint a secretary and a treasurer, who shall each hold office during the pleasure of the board. The said secretary and treasurer shall each be required to file with the said board such bonds as it may seem neces-

sary to insure the faithful performance of their duties. On the organization of the first board of directors of any such district, they shall designate some place within the district as the office of said board and said board shall hold a regular monthly meeting in its office on the first Monday in every month, and any special meetings as may be required for the proper transaction of business; *provided*, that all special meetings must be ordered by the president or a majority of the board, the order must be entered of record, and the secretary must give each member not joining in the order five days' notice of such special meetings. The order must specify the business to be transacted at such special meeting, and none other than that specified shall be transacted; *provided, further*, that whenever all members of the board are present, however called, the same shall be deemed a legal meeting, and any lawful business may be transacted. All meetings of the board must be public and a majority shall constitute a quorum for the transaction of business; but on all questions requiring a vote, there shall be a concurrence of at least a majority of the members of the board. All records of the board shall be open to the inspection of any elector during business hours.

Meetings of board

All meetings public

SEC. 13. *By-Laws—Purchase and Condemnation of Property.* Said board shall have the power to manage and conduct the business and affairs of the district, make and execute all necessary contracts, employ and appoint such agents, officers and employees as may be required, and prescribe their duties, and to establish equitable by-laws, rules and regulations, subject to the approval of the state board of control, for the distribution and use of water among the owners of such land as may be necessary and just to secure the just and proper distribution of the same. Said by-laws, rules and regulations must be printed in convenient form for distribution throughout the district. The board and its agents and employees shall have the right to enter upon any land to make surveys, and may locate the necessary irrigation works, and the lines of any canal or canals, and the necessary branches for the same, on any lands which may be deemed best for such location. Said board shall also have the right to acquire, either by purchase, condemnation or other legal means, all lands, rights and other property necessary for the construction, use and supply, maintenance, repair and improvement of said canal or canals and works, including canals and works constructed and being constructed by private owners, lands for reservoirs for the storage of needful waters, and all necessary appurtenances. In case of purchase, the bonds of the district, hereinafter provided for, may be used to their par value in payment. Said board may appropriate water in accordance with the law and also construct the necessary dams, reservoirs and works for the collection of water for said district; and do any and every lawful act necessary to be done that sufficient water may be furnished to each land owner in said district for irrigation purposes.

By-laws

Rights of board to acquire property for irrigation purposes

The use of all water required for the irrigation of lands of any district formed under the provisions of this act, together with the rights of way for canals and ditches, sites for reservoirs and all other property required in fully carrying out the provisions of this act, is hereby declared to be a public use subject to the regulations and control of the state in the manner prescribed by law.

Legal title to property SEC. 14. *Legal Title to Property.* The legal title to all property or rights acquired under the provisions of this act shall immediately and by operation of law vest in such irrigation district and shall be held by such district in trust for, and is hereby dedicated and set apart to, the uses and purposes set forth in this act. Said board is hereby authorized and empowered to hold, use, acquire, manage, occupy and possess said property and rights as herein provided.

Conveyance of property SEC. 15. *Conveyance of Property—Actions.* The said board is hereby authorized and empowered to take conveyances or other assurances for all property and rights acquired by it under the uses and provisions of this act, in the name of such irrigation district, to and for the purposes herein expressed; and to institute and maintain any and all actions and proceedings, suits at law and in equity, necessary or proper to fully carry out the provisions of this act, or to enforce, maintain, protect, or preserve any and all rights, privileges, and immunities created by this act or acquired in pursuance thereof.

Actions at law In all courts, actions, suits or proceedings the said board may sue, appear and defend, in person or by attorneys and in the name of such irrigation district.

Compensation of officers and directors SEC. 16. *Compensation of Directors and Officers.* The members of the board of directors shall each receive not more than three dollars per day for each day spent attending meetings of said board, or while engaged in official business under the order of the board. The board shall fix the compensation to be paid to the other officers named in this act to be paid out of the treasury of the district; *provided*, that said board shall upon the petition of a majority of the freeholders within such district, submit to the electors at any general election of said district a schedule of salaries and fees to be paid thereunder. Such petition must be presented to the board twenty days prior to a general election, and the result of such election shall be determined and declared in all respects as other elections are determined and declared under this act.

Directors and officers to have no interest in contracts SEC. 17. *Officers Must Not Be Interested in Contracts.* No director or any other officer named in this act shall in any manner be interested, directly or indirectly, in any contract awarded by the board, or in the profits to be derived therefrom, and for any violation of this provision, such officer shall be deemed guilty of a misdemeanor, and upon conviction thereof shall suffer a forfeiture of his office, and he shall be punished by a fine not exceeding five hundred dollars, or by imprison-

ment in the county jail not to exceed six months or by both such fine and imprisonment.

SEC. 18. *Special Assessments—Elections.* The board of directors may, at any time when in their judgment it may be advisable, call a special election and submit to the qualified electors of the district, the question whether or not a special assessment shall be levied for the purpose of raising money to be applied to any of the purposes provided in this act. Such election must be called upon the notice prescribed, and the same shall be held and the result thereof be determined and declared, in all respects in conformity with the provisions of sections five and six. The notice must specify the amount of money proposed to be raised, and the purpose for which it is intended to be used. At such elections the ballots shall contain the words "Assessment—Yes;" or "Assessment—No." If two-thirds or more of the votes cast are "Assessment—Yes;" the board shall immediately levy an assessment sufficient to raise the amount voted. The assessment so levied shall be computed and entered on the assessment roll by the secretary of the board and collected at once, and in the same manner as other assessments provided for herein; and when collected, shall be paid into the district treasury for the purpose specified in the notice of such special election.

Elections for special assessments, when

SEC. 19. *Power to Incur Debts.* The board of directors, or other officers of the district, shall have no power to incur any debt or liability whatever, either by issuing bonds or otherwise, in excess of the express provisions of this act; and any debt or liability incurred in excess of such express provisions shall be and remain absolutely void; *provided*, that for the purpose of organization, or for any of the purposes of this act, the board of directors may, before the collection of the first assessment, incur an indebtedness not exceeding in the aggregate the sum of two thousand dollars, and may cause warrants of the district to issue therefor, bearing interest at six per cent per annum.

Power to incur debts limited

SEC. 20. *Report to State Engineer.* At least as often as once a year after the approval of said plans, the board of directors shall make a report to the state engineer of the progress of the work of construction and reclaiming, and whether or not the plan of irrigation formulated under the provisions of this act, is being successfully carried out, and whether or not, in the opinion of the board, the funds available will complete the proposed works. Upon receipt of such reports by the state engineer, he shall make such suggestions and recommendations to such board of directors as may be necessary to conserve the best interests of the district.

Report to state engineer

SEC. 21. *Statement of Financial Condition.* On or before the first Tuesday of February of each year the board of directors of each irrigation district, organized under this act, shall publish in at least one issue of some newspaper published in

Financial statements to be published

the county or counties in which such district is situated, a full, true, and correct statement of the financial condition of said district on the first day of the preceding January, giving a statement of all liabilities and assets of the district on such first day of January.

SEC. 22. *County Commissioners to Have Access to Books.* Any board of directors of any such irrigation district, or the secretary thereof, shall at any time allow any member of the board of county commissioners, when acting under the order of such board, to have access to all books, records and vouchers of the district which are in possession or control of said board of directors or said secretary of said board.

County commissioners may examine books

CHAPTER 3—ISSUANCE, CONFIRMATION AND SALE OF BONDS

SEC. 23. *Plan of Construction—Issuance of Bonds—Election.* As soon as practicable after the organization of any such district, the board of directors shall, by a resolution entered on its records, formulate a general plan of its proposed operations, in which it shall state what constructive works or other property it proposes to purchase and the cost of purchasing the same; and further what construction work it proposes to do and how it proposes to raise the funds for carrying out said plan. For the purpose of ascertaining the cost of any such construction work, said board shall cause such surveys, examinations and plans to be made as shall demonstrate the practicability of such plan, and furnish the proper basis for an estimate of the cost of carrying out the same. All such surveys, examinations, maps, plans and estimates shall be made under the direction of a competent irrigation engineer and certified by him. Said board shall then submit a copy of the same to the state engineer, and within ninety days thereafter, the state engineer shall file a report upon the same with said board, which report shall contain such matters as, in the judgment of the state engineer, may be desirable. Upon receiving said report said board of directors shall proceed to determine the amount of money necessary to be raised, and shall immediately thereafter call a special election, at which shall be submitted to the electors of said district possessing the qualifications prescribed by this act, the question whether or not the bonds of said district shall be authorized. Notice of such election must be given by posting notices in three public places in each election precinct in said district at least four weeks before the date of said election, and the publication thereof for the same length of time in some newspaper published in the district, and in case no paper is published in the district, then in a paper published in each county in which the district, or any part thereof, is located. Such notice must specify the time of holding the election, the amount of bonds proposed to be issued and, in case such maps and estimates have been made, it shall further state that copies thereof, and in all cases it shall state that said report of the state engineer, are on file and open for

Plan of operations

Election to authorize bonds

Notice of election published

public inspection by the people of the district, at the office of said board and at the office of the state engineer at the state capitol. Said election must be held and the results thereof determined and declared in all respects as nearly as practicable in conformity with the provisions of this act governing the election of officers; *provided*, that no informalities in conducting such an election shall invalidate the same if the election shall have been otherwise fairly conducted. At such election the ballot shall contain the words "Bonds—Yes," or "Bonds—No," or words equivalent thereto. If two-thirds of the votes cast are "Bonds—Yes," the board of directors shall cause bonds in said amounts to be issued; if more than one-third of the votes cast at any bond election are "Bonds—No," the result of such election shall be so declared and entered of record. And whenever thereafter said board, in its judgment, deems it for the best interest of the district that the question of the issuance of bonds in said amounts, or any other amounts, shall be submitted to the electors, it shall so declare of record in its minutes, and may thereupon submit such questions to said electors in the same manner and with like effect as at such previous elections.

Ballots, what to contain

SEC. 24. *Form of Bonds.* The bonds authorized by any vote shall be designated as a series and the series shall be numbered consecutively as authorized. The portion of the bonds of the series sold at any time shall be designated as an issue, and each issue shall be numbered in its order. The bonds of such issue shall be numbered consecutively, commencing with those earliest falling due, and they shall be designated as eleven-year bonds, twelve-year bonds, etc. They shall be negotiable in form and payable in money of the United States as follows, to wit: At the expiration of eleven years from each issue, five per cent of the whole number of bonds of such issue; at the expiration of twelve years, six per cent; at the expiration of thirteen years, seven per cent; at the expiration of fourteen years, eight per cent; at the expiration of fifteen years, nine per cent; at the expiration of sixteen years, ten per cent; at the expiration of seventeen years, eleven per cent; at the expiration of eighteen years, thirteen per cent; at the expiration of nineteen years, fifteen per cent; at the expiration of twenty years, sixteen per cent; *provided*, that such percentages may be changed sufficiently so that every bond shall be in an amount of one hundred dollars or a multiple thereof, and the above provisions shall not be construed to require any single bond to fall due in partial payments. Interest coupons shall be attached thereto, and all bonds and coupons shall be dated on January 1st or July 1st, next following the date of their authorization, and they shall bear interest at a rate of not to exceed six per cent per annum, payable semiannually on the first day of January and July of each year. The principal and interest shall be payable at the place designated therein. Said bonds shall be each of a

Form of bonds

Percentages of bonds payable at certain intervals

Proviso

Interest payable semi-annually

Record of
bonds

denomination of not less than one hundred dollars nor more than one thousand dollars, and shall be signed by the president and secretary, and the seal of the board of directors shall be affixed thereto. Coupons attached to each bond shall be signed by the secretary. Said bonds shall express on their face that they were issued by the authority of this act, naming it, and shall also state the number of the issue of which such bonds are a part. The secretary and the treasurer shall each keep a record of the bonds sold, their number, the date of sale, the price received and the name of the purchaser. In case the money raised by the sale of all the bonds be insufficient for the completion of the plans and works adopted, and additional bonds be not voted, it shall be the duty of the board of directors to provide for the completion of said plan by levy of assessment therefor, in the manner hereinafter provided; *provided*, further, that when the money provided by any previous issue of bonds has become exhausted by expenditures herein authorized therefor, and it becomes necessary to raise additional money for such purposes, additional bonds may be issued, submitting the question at a general election to the qualified voters of said district, otherwise complying with the provisions of this section in respect to an original issue of said bonds; *provided*, also, the lien for taxes, for the payment of interest and principal or of any bond issue, shall be a prior lien to that of any subsequent bond issue.

Apportion-
ment of
benefits

SEC. 25. *Apportionment of Benefits.* Whenever the electors shall have authorized an issue of bonds, as hereinbefore provided, the board of directors shall examine each tract or legal subdivision of land in the said district, and shall determine the benefits which will accrue to each of such tracts or subdivisions from the construction or purchase of such irrigation works; and the cost of such works shall be apportioned or distributed over such tracts or subdivisions of land in proportion to such benefits, and the amounts so apportioned or distributed to each of said tracts or subdivisions shall be and remain the basis for fixing the annual assessments levied against such tracts or subdivisions in carrying out the purposes of this act. Such board of directors shall make, or cause to be made, a list of such apportionment or distribution, which list shall contain a complete description of each subdivision or tract of land of such district with the amount and rate per acre of such apportionment or distribution of cost, and the name of the owner thereof; or they may prepare a map on a convenient scale showing each of said subdivisions or tracts with the rate per acre of such apportionment entered thereon; *provided*, that where all lands on any map or section of a map are assessed at the same rate a general statement to that effect shall be sufficient. Said list or map shall be made in duplicate, and one copy of each shall be filed in the office of the state engineer, and one copy shall remain in the office of said board of directors for public inspec-

Map

tion. Whenever thereafter an assessment is made, either in lieu of bonds, or an annual assessment for raising the interest on bonds, or any portion of the principal, or the expenses of maintaining the property of the district, or any special assessment voted by the electors, it shall be spread upon the lands in the same proportion as the assessment of benefits, and the whole amount of the assessment of benefits shall equal the amount of bonds or other obligations authorized at the election last above mentioned.

Assessments
to be pro-
portional

SEC. 26. *Hearing.* After the board shall have examined the lands in said district, and before proceeding to make the assessment of benefits and the list and the apportionment as provided in the last preceding section, they shall give notice to the owners of said land that they will meet at their office on a day to be stated in said notice for the purpose of making such assessment and list and apportionment. They shall, as far as practicable, give such notice by letter, mailed or delivered, to each of said land owners, and the same shall be mailed or delivered to land owners residing out of the county where said office is located at least ten days before the day fixed for such meeting, and to such as reside in said county, it shall be so mailed or delivered at least six days before the time of such meeting. For the purpose of giving notice to nonresidents and such owners as it is not reasonably practicable to notify personally or by mail as aforesaid, the notice shall be published in some newspaper published in the same county two weeks before the time of such meeting. At such meeting the board shall proceed to hear all parties interested who may appear, and they shall continue in session from day to day until this assessment is completed. They shall hear all evidence offered, including any maps or surveys which any owners of lands may produce, and they may classify the lands in such way that the assessment when completed shall be just and equitable. Any person interested who shall fail to appear before the board shall not be permitted thereafter to contest said assessment, or any part thereof, except upon a special application to the court in the proceeding for confirmation of said assessment, showing reasonable excuse for failing to appear before said board of directors. In case any land owner makes objection to said assessment, or any part thereof, before said board, and said objection is overruled by the said board, and the land owners do not consent to the assessment as finally determined, such objection shall, without further proceedings, be regarded as appealed to the district court and to be heard at the said proceeding to confirm as aforesaid.

Notice of
assessment

Notice
advertised

Hearing

SEC. 27. *Confirmation of Proceedings.* The board of directors of the irrigation district shall file with the clerk of the district court in and for the county in which this office is situated a petition, praying in effect that the proceedings aforesaid may be examined, approved and confirmed by the court. The petition shall state generally that the irrigation district was

Confirmation
of proceed-
ings

Proviso

duly organized and the first board of electors elected, that due and lawful proceedings were taken to issue bonds in an amount to be stated, and that said assessment, list and apportionment were duly made and a copy of said assessment, list and apportionment shall be attached to said petition, but the petition need not state other facts showing such proceedings; *provided*, that after the organization of the district is complete, a petition may be filed for the confirmation of the proceedings so far, or after the authorization of any issue of bonds such petition may be so filed, and where the procedure is by separate petitions for the confirmation of different portions of said proceedings, subsequent proceedings may be in the name of reopening of the same case, but shall not be considered as authorizing any rehearing of the matter theretofore heard and decided.

Method and
rules of pro-
cedure

SEC. 28. *Same Notice—Rules of Procedure.* The court or judge shall fix the time for the hearing of the said petition, and shall order the clerk of the court to give and publish a notice of the filing of said petition. The notice shall be given and published in a newspaper published in the same county for four consecutive weeks. The notice shall state the time and place for the hearing of the petition, and the prayer of the petition, and that any person interested in the subject-matter of the said petition may, on or before the day fixed for the hearing thereof demur to or answer said petition. None of the pleadings in said matter need be sworn to. Every material statement of the petition not controverted by answer must be taken as true, and every person or party failing to answer the petition shall be deemed to have admitted all the material allegations of the petition. The rules of pleading and practice provided by the civil practice act of this state, which are not consistent with this act, are applicable to the special proceeding herein provided for. A motion for a new trial, and all proceedings in the nature of appeals or rehearings may be had as in any ordinary civil action.

Hearing and
confirmation

SEC. 29. *Same—Hearing and Confirmation.* Upon the hearing of such special proceedings, the court shall examine all the proceedings set up in the petition, and may ratify, approve and confirm the same or any part thereof, and in case of a petition to confirm said assessment, list, apportionment, and distribution, the court shall hear all objections either filed in said proceedings or brought up in the hearing before the board of directors as aforesaid, and for that purpose any person desiring to be heard upon objections overruled by the board of directors, shall state the substance of said objections and the ruling of the board in his answer. The court shall disregard every error, irregularity or omission which does not affect the substantial right of any party, and if the court shall find that said assessments, list and apportionment are in any substantial matter erroneous or unjust, the same shall not be returned to said board, but the court shall proceed to correct the same so as to conform to this act, and the rights of all parties in the

premises, and the final order of decree of the court may approve and confirm such proceeding in part; and in case the proceeding for organization of the district and the issue of bonds are approved, the court shall correct all the errors in the assessment, apportionment and distribution of costs as above provided, and render the final decree approving and confirming all of the said proceedings. In case of the approval of the organization of the district and the disapproval of the proceedings for issuing bonds, the district shall have the right to institute further proceedings for the issuance of bonds *de novo*. The cost of the special proceedings may be allowed and apportioned among the parties thereto in the discretion of the court.

SEC. 30. *Sale of Bonds.* The board may sell said bonds from time to time, in such quantities as may be necessary and most advantageous, to raise money for the construction of said canals and works, the acquisition of said property and rights, and otherwise to carry out the object and purpose of this act. Before making any sale the board shall, by resolution, declare its intention to sell a specific amount of the bonds, and if said bonds can then be sold at their face value and accrued interest they may be sold without advertising, otherwise said resolution shall state the day and hour and place of such sale, and cause such resolution to be entered on the minutes, and notice of sale to be given by publication thereof at least four weeks in three newspapers published in the State of Nevada, one of which shall be a newspaper published in the county in which the office of the board of directors is situated, if there be a newspaper published in said county, and in other newspapers at their discretion. Said notice shall state that sealed proposals will be received by the board at their offices for the purchase of the bonds until the day and hour named in the resolution. At the time appointed the board shall open the proposals, and award the purchase of the bonds to the highest responsible bidder, or may reject all bids; but in case no bids are received, or all bids are rejected, at the time stated in the advertisement, it shall not be again necessary to advertise the sale of the same bonds, but they may be sold at any time until canceled; *provided*, said board shall in no event sell any of the said bonds for less than the par or face value thereof and accrued interest. If, for any reason, the duly authorized bonds of a district cannot be sold, or if at any time it shall be deemed for the best interests of the district to withdraw from sale all or any portion of an authorized bond issue, the board of directors may, in their discretion, cancel the same and they may levy assessments to the amount of the bonds canceled; *provided*, that the revenue derived from said assessments must be employed for the same purpose as was contemplated by the bond authorization; but no levy shall be made to pay for work or material, payment for which was contemplated by bonds which have been authorized, until bonds to the amount of said assessment have been canceled. Assessments made in lieu of bonds canceled shall be collected in the

Sale of
bonds

same manner, and shall have the same force*and effect, as assessments levied under any provision of this act; *provided*, that such assessments shall not, during any one year, exceed ten per cent of the total bond issue authorized by such district, unless a greater assessment shall be authorized by a majority vote of the qualified electors of the district voting at a general election or a special election called for that purpose, said special election to be held in the manner provided in section 18.

Payment of
bonds and
interest

SEC. 31. *Payment of Bonds and Interest.* Said bonds and the interest thereon shall be paid by revenue derived from the annual assessment upon the land in the district; and all the land in the district shall be and remain liable to be assessed for such payment.

Redemption
of bonds

SEC. 32. *Redemption of Bonds.* Upon the presentation of the coupons due to the treasurer, he shall pay the same from the bond fund. Whenever after ten years from the issuance of said bonds, said fund shall amount to the sum of ten thousand dollars, the board of directors may direct the treasurer to pay such an amount of said bonds not due as the money in said fund will redeem at the lowest value at which they may be offered for liquidation, after advertising for at least four weeks in some newspaper published in the county, and in other newspapers which said board may deem advisable, for sealed proposals for the redemption of said bonds. Said proposals shall be opened by the board in open meeting at a time to be named in the notice, and the lowest bid for said bonds must be accepted; *provided*, that no bonds shall be redeemed at a rate above par. In case the bids are equal, the lowest numbered bond shall have the preference. In case none of the holders of said bonds shall desire to have the same redeemed as herein provided for, said money shall be invested by the treasurer, under the direction of the board, in United States bonds or the bonds or warrants of the state, or municipal or school bonds, which shall be kept in such bond fund and may be used to redeem said district bonds whenever the holders thereof may desire.

CHAPTER 5—LEVY AND COLLECTION OF ASSESSMENTS

Assessment
book

SEC. 33. *Preparation of Assessment Book.* The secretary of the board of directors shall be the assessor of the district and on or before August fifteenth of each year shall prepare an assessment book containing a full and accurate list and description of all the land of the district, and a list of the persons who own, claim or have possession or control thereof, during said year, giving the number of acres listed to each person.

If the name of the person owning, claiming, possessing, or controlling any tract of said land is not known, it shall be listed to "unknown owners."

Notice of
correction of
assessments

SEC. 34. *Notice of Correction of Assessments.* On or before the first Monday in September of each year, the secretary of the board must give notice of the time the board of directors

will meet to correct assessments, by publication in a newspaper published in each of the counties comprising the district. The time fixed for the meeting shall not be less than twenty nor more than thirty days from the first publication of the notice. In the meantime the assessment book must remain in the office of the secretary for the inspection of all parties interested.

SEC. 35. *Board of Correction.* Upon the day specified in the notice required by the preceding section for the meeting, the board of directors, which is hereby constituted a board of correction for that purpose, shall meet and continue from day to day, as long as may be necessary, not to exceed five days, exclusive of holidays, and may make such changes in said assessment book as may be necessary to make it conform to the facts. Within five days after the close of said session, the secretary of the board shall have the corrected assessment book complete.

Board of
correction

SEC. 36. *Levy of Assessment.* At its regular meeting in October, the board of directors shall levy an assessment upon the lands in said district upon the basis, and in the proportion, of the list and apportionment of benefits approved by the court as hereinbefore provided, which assessment shall be sufficient to raise the annual interest on the outstanding bonds. At the expiration of ten years after the issue of said bonds of any issue, the board must increase said assessment, as may be necessary from year to year, to raise a sum sufficient to pay the principal of the outstanding bonds as they mature. The secretary of the board must compute and enter in a separate column of the assessment book the respective sums, in dollars and cents, to be paid as an assessment on the property therein enumerated. When collected, the assessments shall be paid into the district treasury, and shall constitute a special fund, to be called "Bond Fund of Irrigation District." In case any assessment should be made for the purpose contemplated by a bond authorization, it shall be entered in a separate column of the assessment book in the same manner as the bond fund; and when collected shall constitute the "Construction Fund of Irrigation District."

Levy of
assessment

SEC. 37. *Lien of Assessment.* The assessment is a lien against the property assessed from and after the first Monday in March of any year. The lien for the bonds of any issue shall be a preferred lien to that of any subsequent issue, and such lien is not removed until the assessments are paid, or the property sold for the payment thereof.

Lien of
assessment

SEC. 38. *Payment of Assessments.* On or before the first day of November the secretary must deliver the assessment book to the treasurer of the district, who shall within ten days publish a notice in a newspaper published in each county in which any portion of the district may lie, that said assessments are due and payable, and will become delinquent at six o'clock p. m. on the first day of January next thereafter, and also the times and places at which the payments of the assessments

Payment of
assessments

Payment of
assessments

may be made, which notice shall be published for the period of two weeks. The treasurer must attend to the times and places specified in the notice, to receive assessments, which must be paid in lawful money of the United States; he must mark the date of payment of any assessment in the assessment book opposite the name of the person paying and give a receipt to such person, specifying the amount of the assessment, and the amount paid with a description of the property assessed. On the first day of January at six o'clock p. m. of each year, all unpaid assessments for the preceding year are delinquent; *provided*, that if any person shall pay one-half of his assessments before they become delinquent, the remaining one-half shall not become delinquent until the first Monday in July at six o'clock p. m. of each year.

Delinquent
list

SEC. 39. *Delinquent List.* On or before the second Monday in January of each year said treasurer shall begin the preparation of a delinquent list containing a description of all tracts of land upon which assessments are delinquent, and the amount of assessments against each such tract and the name of the owner as shown on the assessment book, and thereafter and on or before the second Monday in July the treasurer shall complete said delinquent list and shall properly certify the same and prepare a duplicate thereof; and deliver it to the secretary of the district. If any such assessment becomes delinquent the treasurer shall collect the same with the penalties added, as provided for delinquent county and state taxes.

Publication
of delinquent
list

SEC. 40. *Publication of Delinquent List—Sales.* During the first seven days of August the treasurer must commence to publish the delinquent list, and the publication shall continue four weeks, and must contain the names of the persons, and a description of the property delinquent at the time, and the amount of the assessments and penalties, and the cost due opposite each name and description. After said publication shall have been made for the first time, the treasurer shall collect twenty-five cents additional to the assessments and penalties on each description of the land published. The treasurer must append and publish with the delinquent list a notice that unless the assessments delinquent, together with penalties and costs, are paid, the real property upon which said assessments are made will be sold at public auction, at a time and place therein specified. The publication must be made in some newspaper published in said district, if it can be so published, and if it cannot be so published, then in some newspaper published in the county in which the office of the directors is situated; and if it cannot be so published, then by posting it in not less than three public places in said district, one of which shall be at the door of the office of said board; the time of said sale shall be fixed for the first Tuesday in September, and the place shall be at the office of said board of directors. The treasurer as soon as he has made the publication required, must file with the secretary proof of such publication by affidavit and like proof

Sales to be
published

of posting in case such notice was posted as herein required. The treasurer must attend at the time and place specified in the notice and conduct the sale. The sale shall be conducted in all respects in the manner provided for the sale of property for delinquent county and state taxes, and may be postponed in the same manner and the district shall become the purchaser of the property in the cases when the county would have become the purchaser of property at sales for delinquent county and state taxes. The treasurer must retain in his office a list of the property sold, stating name of owner as appears by assessment roll, amount for which sold and date of sale, and file a duplicate list with the recorder of the county in which the land is situated. The treasurer shall execute a duplicate certificate of sale, which shall contain the statements in substance required in certificates of sale in sales of county and state delinquent taxes, one of which shall be delivered to the purchaser and the other shall be filed with the treasurer in the office of the county recorder of the county in which the land is situated. When the district is the purchaser the duplicate certificate shall be filed with the secretary. Any irrigation district as a purchaser of any land at any such delinquent tax sale, shall be entitled to the same rights as a private purchaser, and the title so acquired by the district, subject to the rights of the redemption herein provided, may be conveyed by deed executed and acknowledged by the president and the secretary of the board; *provided*, that authority to so convey must be conferred by resolution of the board entered on its minutes.

Method of
conducting
sale

SEC. 41. *Redemption, When and How Made.* Redemption can be made at any time within one year from the date of sale. Redemption may be made by paying to the treasurer the amount for which the property was sold, together with ten per cent penalty and one per cent thereon. The treasurer shall thereupon deliver to the person redeeming a certificate of redemption stating the description of the lands sold, the name of the owner as it appeared upon the assessment roll, and the amount paid on such redemption, and shall note the redemption on his list of sales. When such certificates of redemption shall be presented to the county recorder where the land is situated, he shall mark the property as redeemed in his record of such sales. The treasurer must pay the amount received on such redemption to the person holding the certificate of sale, but on presentation thereof with satisfactory proof of ownership. When the district is purchaser, it may assign any certificate of sale to any person, within one year after the sale, upon receipt of the amount for which the property was sold to the district, with the interest from the date of sale. If no redemption be made within the year after said sale, the treasurer shall, upon request, execute a deed to the holder of the certificate, which deed shall recite and contain the matter required in deeds for property sold for county and state taxes, and when so executed and delivered shall have the same effect.

Redemption,
when and
how made

CHAPTER 6—CONSTRUCTION WORK AND ACQUIREMENT OF PROPERTY

Contract for
construction
work

SEC. 42. *Contract for Construction Work.* After adopting a plan for said canal or canals, storage reservoirs and works, the board of directors shall give notice, by publication thereof not less than thirty days in one newspaper published in each of the counties comprising the district, if a newspaper is published therein, and in such other newspaper as they may deem advisable, calling for bids for the construction of such work, or any portion thereof. If less than the whole work is advertised, then the portions so advertised must be particularly described in such notice. Said notice shall set forth that plans and specifications can be seen at the office of the board and that the board will receive sealed proposals therefor, and that the contract will be let to the lowest responsible bidder, stating the time and place for opening said proposals, which, at the time and place appointed, shall be opened in public; and as soon as convenient thereafter, the board shall let said work, either in portions or as a whole, to the lowest responsible bidder, or they may reject any and all bids and readvertise for proposals. Contracts for the purchase of the material shall be awarded to the lowest responsible bidder. Any person or persons to whom a contract may be awarded shall enter into a bond, with good and sufficient sureties to be approved by the board, payable to said district for its use, for 25 per cent of the amount of the contract price, conditioned upon the faithful performance of said contract. The work shall be done under the direction and to the satisfaction of the engineer employed by the district, and approved by the board; *provided*, that no contract of any kind shall be let by said board of directors unless there is sufficient money in the district treasury at the time such contract is let, available for such payment, to fully pay for the work or material so contracted for.

Notice for
bids, when
dispensed
with

SEC. 43. *Notice for Bids Dispensed With.* On the petition of a majority of the owners of land in said district, to be determined as provided by section 1, the board of directors may do any work mentioned in the preceding section on behalf of the district, and it may use the construction fund therefor; in such cases they need not publish notice for bids as provided in the last preceding section.

Payment of
claims

SEC. 44. *Payment of Claims.* No claim shall be paid by the treasurer until allowed by the board, and only upon warrant signed by the president and countersigned by the secretary.

Payment of
expenses

SEC. 45. *Payment of Expenses—Water Tolls.* The cost and expense of purchasing and acquiring property and constructing works and improvements to carry out the formulated plan, shall be paid out of the construction fund. For the purpose of defraying the expenses of the organization of the district, and of the care, operation, management, repair and improvement of such portion of said canal and works as are completed in use, including salaries of officers and employees, the board may

either fix rates of toll and charges for water against all persons using said canal for irrigation or other purposes, or they may levy assessments therefor, or by both said tolls and assessments. The procedure for levying and collection of assessments shall conform to the provisions of this act relating to the payments of principal and interest of bonds. All assessments and tolls shall be listed and carried out in the regular assessment book and collected by the treasurer at the time and in the manner of regular annual assessment. All special assessments are a lien on the lands assessed from the time when they are ordered. The board of directors may order tolls for water to be collected in advance. Whenever an assessment book or toll book shall be delivered to the treasurer the secretary shall charge the treasurer with the total amount of the various amounts as carried out in said books.

Water tolls

On the second Monday in January in each year the treasurer shall make a semiannual settlement with the secretary and deliver to the secretary a statement in brief of all assessments delinquent at that time, and account for all such sums theretofore collected. The treasurer shall make such settlements for tolls at such times as may be ordered by the board. On the second Monday of July the treasurer shall make final settlement with the secretary, and deliver to the secretary a duplicate delinquent list, and account for all sums not shown on said delinquent list. The secretary shall then charge the treasurer with the amount of said list and penalties added, and upon receiving the affidavit of publication thereof he shall charge the treasurer with twenty-five cents additional for each description published. On the first Monday after the sale, the treasurer shall make final settlement for assessments, by receiving credit for the property sold to the district and accounting for all of the balance.

Semiannual statement of assessments

SEC. 46. *Intersections with Streets, Railroads, Etc.* The board of directors shall have power to construct the said works across any stream of water, watercourse, street, avenue, highway, railway, canal, ditch or flume which the route of said canal or canals may intersect or cross in such manner as to afford security for life and property; but said board shall restore the same when so crossed or intersected, to its former state as near as may be, or in a sufficient manner not to have impaired unnecessarily its usefulness; and every company whose railroad shall be intersected or crossed by said work, shall unite with said board in forming said intersections and crossings and grant the privileges aforesaid; and if such railroad company and said board, or the owners and controllers of said property, thing or franchise to be crossed, cannot agree upon the amount to be paid therefor, or upon the points or the manner of said crossings or intersections, the same shall be ascertained and determined in all respects as herein provided in respect to the taking of land.

Powers of board regarding rights of way

SEC. 47. *Right of Way Over State Lands.* The right of way

Regarding
state lands

is hereby given, dedicated and set apart, to locate, construct and maintain said work over and through any of the lands which are now or may be the property of the state.

Right of
eminent
domain

SEC. 48. *Right of Eminent Domain.* All irrigation districts organized under the laws of the State of Nevada, shall have the right of eminent domain, with the power by and through their boards of directors, to cause to be condemned and appropriated in the name of and for the use of said districts, all lands, reservoirs, canals and works constructed or being constructed by private owners, and lands for reservoirs for the storage of needful waters, and all necessary appurtenances and other property and rights necessary for the construction, use and supply, maintenance, repair, and improvement of said canal or canals and works. Said irrigation district shall have the right by and through their boards of directors to acquire by purchase or other legal means any or all of the property mentioned and referred to in this section. In any action of proceedings for the condemnation of any property mentioned and referred to in this section, wherein said irrigation district is party, the plaintiff must, within six months after final judgment, pay the sum of money assessed, or said judgment will be annulled. Except as otherwise provided in this chapter the provisions of the laws of Nevada relative to the right of eminent domain, civil actions, new trials and appeals, shall be applicable to and constitute the rules of practice in condemnation proceedings by said irrigation districts.

CHAPTER 7—CHANGING BOUNDARIES OF DISTRICTS

Petition for
annexation
of adjacent
lands

SEC. 49. *Petition for Annexation of Adjacent Lands.* The holder or holders of any title, or evidence of title representing one-half or more of any body of lands adjacent to the boundaries of an irrigation district, may file with the board of directors of said district a petition in writing praying that said land may be annexed. The petition shall describe the lands and also describe the several parcels owned by petitioners.

Guardians
and adminis-
trators may
sign petitions

SEC. 50. *Guardians and Administrators May Sign Petitions.* A guardian, executor, or an administrator of an estate, who is appointed as such under the laws of this state, and who as such guardian, executor, or administrator is entitled to the possession of the lands belonging to the estate which he represents, may, on behalf of his ward, or the estate which he represents, upon being thereunto authorized by the proper court, sign and acknowledge the petition mentioned in this chapter for the change of boundaries in the district.

Notice of
petition

SEC. 51. *Notice of Petition.* The secretary must cause a notice of the filing of such petition to be published three weeks in the manner of notices of special elections. The notice shall state the filing of such petition, and the names of the petitioners, a description of the lands mentioned in said petition, and the prayer of said petition, and it shall notify all persons interested in or that may be affected by such change

of boundaries of the district, to appear at the office of said board at a time named in said notice and show cause in writing, if any they have, why the lands mentioned should not be annexed to said district. The petitioner shall advance to the secretary sufficient money to pay the estimated cost of all proceedings under this chapter.

SEC. 52. *Hearing of Petition.* The board of directors at the time mentioned in said notice or at such other time to which the hearing may be adjourned, shall hear the petition and all the objections thereto, showing cause, as aforesaid. The failure of any person to show cause as aforesaid, shall be taken as an assent on his part to a change of the boundaries of the district as prayed for in said petition, or to such a change thereof as will include a part of said land. Hearing of
petition

SEC. 53. *Assessment Against Petitioners.* The board of directors may require, as a condition to the granting of said petition, that the petitioners shall severally pay to such district such respective sums as nearly as the same can be estimated, as said petitioners, or their grantors, would have been required to pay to such district, had such lands been included in such district at the time the same was originally formed. Assessment
against
petitioners

SEC. 54. *Order Accepting or Rejecting Petition.* The board of directors, if they deem it not for the best interests of the district to include therein the lands mentioned in the petition, shall order that the petition be rejected. But if they deem it for the best interests of the district, and if no person interested shall show cause why the proposed change be not made, or if having shown cause, withdraws the same, the board may order, without any election, that the lands mentioned in said petition, or some part thereof, be annexed to said district, the order shall describe the lands to be annexed to said district and the board may cause a survey thereof to be made if deemed necessary. Order
accepting or
rejecting
petition

SEC. 55. *Same—Overruling Objection.* If any person interested shall show cause as aforesaid, and shall not withdraw the same, and if the board of directors deem it for the best interests of the district to include therein the lands mentioned in petition, or some part thereof, the board shall adopt a resolution to that effect. The resolution shall describe the lands which the board is of the opinion should be included within the district. Overruling
objection

SEC. 56. *Election to Determine Change.* Upon the adoption of the resolution mentioned in the last preceding section, the board shall order that an election be held within said district to determine whether the boundaries of the district shall be changed as mentioned in said resolution; and shall fix the time at which such election shall be held. Notice thereof shall be given and published, and such election shall be held, and all things pertaining thereto conducted, in the manner prescribed by this act in case of an election to determine whether bonds of the district shall be issued. The ballots cast at said election shall contain the words "for change of boundary" or "against Election to
determine
change

change of boundary," or words equivalent thereto. The notice of election shall describe the lands to be annexed to said district.

Order changing boundary
SEC. 57. *Order Changing Boundary.* If at such election a majority of all the votes cast at said election shall be against such change of the boundaries of the district the board shall proceed no further in the matter. But if a majority of such votes be in favor of such change the board shall thereupon order that the boundaries be changed in accordance with said resolution. The order shall describe the land so annexed to said district, and thereafter such lands so annexed shall be subject to such assessments from time to time as the board of directors shall deem right under the circumstances, and such assessments shall be deemed to be assessments for benefits to said lands by reason of their annexation to said district. Immediately after the recording of the order annexing said lands to the district, the directors shall state on their minutes to which division and election precinct in said district the said lands so annexed shall be attached, and if necessary, the board shall make an order redividing the district into divisions and election precincts in the same manner and with like effect as near as may be as provided for that purpose on the formation of a district.

Order to be recorded
SEC. 58. *Order To Be Recorded.* Upon a change of the boundaries of a district being made, a copy of the order of the board of directors ordering such change, certified by the president and secretary of the board shall be filed for record in the recorder's office of each county within which are situated any of the lands of the district and thereupon the district shall be and remain an irrigation district as fully and to every intent and purpose as if the lands which are included in the district by the change of the boundaries as aforesaid had been included therein at the original organization of the district.

Petition recorded in minutes
SEC. 59. *Same—Record in Minutes.* Upon the filing of the copies of the order, as in the last preceding section mentioned, the secretary of the board shall record in the minutes of the board the petition aforesaid, and said minutes, or a certified copy thereof, shall be admissible in evidence, with the same effect as the petition.

Exclusion of land from district
SEC. 60. *Exclusion of Land from District.* The holder or holders of any title to land included within the boundary of an irrigation district may file with the board of directors of said district, a petition in writing praying that the boundaries of said district may be so changed as to exclude the said lands described in said petition. The petition shall describe the boundaries of the several parcels owned by the petitioners; if the petitioners be the owners respectively of the district parcels of land, such petition must also state that the lands described in said petition are too high to be watered from water owned and controlled by said irrigation district. Said petition must be acknowledged in the same manner that conveyances of land are required to be acknowledged.

SEC. 61. *Survey of Lands To Be Excluded.* The board of directors to whom such petition is presented must cause the lands described in said petition to be surveyed by a competent irrigation engineer, and if found to be too high to receive any benefit from irrigation works of said district, said board must make an order changing the boundaries of said district so as to exclude the lands described in said petition. Excluded lands to be surveyed

SEC. 62. *Costs of Survey.* If upon a survey being made by order of the board of directors of lands described in the petition, it is found that said lands can be watered from irrigation works of said district, parties signing said petition shall be liable to the irrigation district for the full amount of costs incurred by said district in having the lands described in said petition surveyed. Costs of survey

SEC. 63. *Changes To Be Recorded.* Upon a change of the boundaries of a district being made as provided in the three preceding sections, a copy of the order of the board of directors ordering such change, certified by the president and secretary of the board, shall be filed for record in a recorder's office of each county within which are situated any lands of the district, and thereupon the district shall be and remain an irrigation district as fully and to every intent and purpose, as if the lands which are excluded from the district by the change of the boundaries, as aforesaid, had been excluded at the original organization of the district. Changes to be recorded

SEC. 64. *Consolidation of Districts.* Whenever the board of directors of any two or more irrigation districts which are contiguous, deem for the best interests of their respective districts that the same be consolidated into a single district, such board of directors may petition the board of county commissioners for an order for an election, to vote upon the question of such consolidation, which petition shall state in detail the terms upon which such consolidation is proposed to be made. Upon receiving such petitions, the said board of county commissioners shall request the state engineer to investigate the conditions of such districts, and all questions affecting such proposed consolidation, and he shall make a report of the result of such investigation to the board of county commissioners, not more than ninety days after such request is received. At the time said report upon the matter is made, said board of county commissioners, if deemed advisable, shall make an order fixing the time for an election in the said district, to vote upon the question of such proposed consolidation, which time shall not be less than thirty nor more than sixty days after the date of said report. Notice of said election shall be published as required for notice of the election in section 4 of this act; and the said board of directors shall make all necessary arrangements for such election in their respective districts as provided in this act for other elections. The ballot should be substantially as follows: "Consolidation—Yes," "Consolidation—No." The said board of directors Districts may be consolidated

Popular election, when

Ballots

Directors
of consoli-
dated district

Proviso

shall canvass the returns of such election as provided in case of usual district elections, and shall immediately thereafter transmit, by messenger or by registered mail, certified abstracts of the result of said election in their respective districts to the clerk of the board of county commissioners. Within ten days after such returns are received by said clerk the said board of county commissioners shall meet and canvass the same. If it appears that a majority of all the votes cast in each of said districts is "Consolidation—Yes," said board shall make an order and enter the same of record in its minutes, establishing said consolidated district, giving its boundaries and designation, and in detail the terms under which the consolidation has been effected, and dividing said consolidated district into three divisions, and shall appoint some person qualified under this act to act as director of each of said divisions of said district until the next general election for the election of officers, when a board of directors shall be elected as provided in section 5; *provided, however*, that the organization of such district shall not take effect until the first Tuesday of the January following said order of its establishment. If the date provided by law for the election of directors shall come between the date of said order of the board of county commissioners and said first Tuesday of January, then in making such order said board shall designate the board of directors of one of the consolidated districts as a board to take charge of said election, and a director shall in that case be elected for each division of said consolidated district, and in that case no appointment of directors shall be made by said board of county commissioners. If, however, upon such canvass by said board of county commissioners, it appears that a majority of votes cast in any district thus proposed to be consolidated is "Consolidation—No," then a record of that fact shall be entered in the same minutes of the said board of county commissioners, and all the proceedings had under this section shall be void.

CHAPTER 8—MISCELLANEOUS PROVISIONS

State lands
included
within
irrigation
district

State land
register to
make con-
tract, when

SEC. 65. *State Lands Included Within Irrigation District.* No state lands included within any legally organized irrigation district shall ever be assessed, nor shall any of the preceding sections relative to the levying and collecting of assessments and taxes apply, but the state land register and the state engineer shall make a thorough examination as to the benefits to accrue to such state lands by reason of the formation of such irrigation district, and by reason of the acquiring of water rights for said land, and the state land register is hereby empowered to enter into a contract with the board of directors of such irrigation district, specifying by legal subdivisions the land so benefited, the amount of benefit to accrue to each piece of land, and such contracts shall provide that an annual payment shall be made each year out of the general fund to said board of directors to be applied on the cost of constructing such irriga-

tion works within said district, until the full amount of such benefit is paid; but the state land register shall have the option to pay the full amount to such contract at any time upon any or all of such legal subdivisions; *provided*, that said contract shall be subject to said irrigation district and works being properly managed and constructed, so that the benefits agreed upon shall accrue to said lands; *provided, also*, that the county recorder of every county in which certificate of sale of any state lands for irrigation district taxes have been heretofore filed or recorded, shall cancel the same upon the records of said counties. The amount of benefit so agreed upon shall be charged to the state land register against said lands, and shall be paid as follows: Before any such land shall be offered for sale, the state land register shall cause said lands to be appraised showing first (1): The value of the land without any water right, ditches or other improvements affected or made by such district, and second (2): The value of the water rights, ditches and other improvements, or the proportion thereof appurtenant to such land and such legal subdivisions; and said lands shall be offered for sale and sold with said water rights, ditches and other improvements included. Before the proceeds of such sale are deposited in the fund where they properly belong, the amounts of money paid by the state, or for which the state is held bound to pay, or such proportionate amounts where said lands are sold to be paid for in installments, shall be deducted from the said proceeds and placed in the general fund of the state, to reimburse the state for expenditures so made; *provided*, that no reductions shall be made from said proceeds that shall reduce the same below the appraised value of said lands, or below the price of ten dollars per acre.

Proviso

Amount of benefit, how calculated

State reimbursed, when

SEC. 66. *Mining Industries Not Impaired.* Vested interest in or to any mining or power water rights or ditches, or in or to any water or water rights, or reservoirs or dams now used by the owners or possessors thereof in connection with any mining or power development industry, or by persons purchasing or renting the use thereof, or in or to any other property now used directly or indirectly in carrying on or promoting the mining or power developing industry, ever be affected by or taken under its provisions, save and except that rights of way may be acquired over the same.

Mining industries not to be impaired

SEC. 67. *Publication of Notices.* Wherever in this act any notices are required to be given by publication, it shall be satisfied by publishing the same in a weekly newspaper the same number of times consecutively as the number of weeks mentioned in the requirements. A ten days' notice shall be satisfied by two such publications, a twenty days' notice by three, and a thirty days' notice by five such publications.

Publication of notice

SEC. 68. *Other Laws Unaffected.* None of the provisions of this act shall be construed as repealing or in any wise modifying the provisions of any other act relating to the subject of irrigation or water distribution. Nothing herein contained

Other laws unaffected

shall be deemed to authorize any person or persons to divert the water of any river, creek, stream, canal or ditch, from its channel to the detriment of any person or persons having any interest in such river, creek, stream, canal or ditch, or the waters therein, unless previous compensation be ascertained and paid therefor, under the laws of this state authorizing the taking of private property or rights for public uses.

Existing districts governed by this act

SEC. 69. *Existing Districts To Be Governed by this Title.* All irrigation districts heretofore organized under the laws of this state shall hereafter be governed in all respects by the provisions of this act.

Repeal

SEC. 70. *All Acts in Conflict Repealed.* All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

In force

SEC. 71. This act shall take effect and be in force from and after its passage.

CHAP. 135—*An act providing for the examination and auditing of the books and accounts of certain officers, and providing penalties for its violation.*

[Approved March 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Accounts of state, county, and city officials to be examined semi-annually

SECTION 1. It is hereby made the duty of the board of examiners and the boards of county commissioners of the various counties of this state, and the board of trustees, city council, or other governing body, of any incorporated city or town within this state, to audit and examine at least twice in each year the accounts of all officials, state, county or town, charged with the receipt, collection, disbursement or handling of any money, credits, effects, or property belonging to the state, county, city or town, or collected by such person under any law of this state, and for this purpose they shall have the power to employ a competent expert accountant to examine said books or accounts, of such officers, but the examination and auditing by the board of examiners shall be confined to state officers, the examination and auditing by the board of county commissioners to county or township officers, and the examination and auditing by the board of trustees, or city council, shall be confined to the town or city officers.

Expert accountant employed

SEC. 2. The accountant so employed shall report to the board employing him, the amounts of money in the various funds, the amounts collected, the amounts disbursed, the condition of the books, and the manner in which such accounts are kept, giving in detail the information thus required, and shall further certify to such board if the amounts collected and expended and on hand correspond, and to report to such

board any shortage, misappropriation, or misapplication of any of the public moneys so collected, and shall give such further information as may be required by such board.

SEC. 3. The reports of such accountant shall, by order of the district judge, be laid before the grand jury of each of the counties of this state for an examination by them, and to take such action upon such report as they shall deem necessary.

Reports to go to grand juries

SEC. 4. In case any board hereby required to audit and examine, or cause to be audited and examined, the accounts of the various officers herein enumerated, shall fail to cause such examination and report to be so made, then it shall be the duty of the grand jury of the county, to employ competent experts to make such examination and to report to such grand jury, and such grand jury shall also indict such officers as have failed, refused or neglected to audit and examine, or cause to be audited and examined, the accounts of such officers as required by this act.

Duty of grand jury to order such examination if neglected

SEC. 5. The members of the board who are hereby required to examine and audit, or cause to be examined or audited, the accounts of the various officers herein mentioned, who shall fail, refuse or neglect to do so, as required by this act, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in a sum not less than one hundred dollars, nor more than one thousand dollars, and unless such fine be paid, shall be confined in the county jail at the rate of one day for each two dollars of such fine.

Penalty for neglect

SEC. 6. All expenses incurred in the examination of the accounts of the state officers, for experts or otherwise, shall be a legal charge against the sum of \$2,400, which is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, and the controller is hereby authorized to draw his warrant, and the treasurer to pay the same upon the written order of the board of examiners drawn in favor of the person making such examination; all costs for the examination of the county books shall be a legal charge against the county, and all costs incurred in the examination of the books of any incorporated city or town shall be a legal charge against such incorporated city or town, all such accounts to be paid by the county or incorporated city or town, the same as any other claims against such county, city or town.

Appropriation for examination of state officers' books

When legal charge against county or city

SEC. 7. All acts or parts of acts in conflict herewith are hereby repealed.

Repeal

CHAP. 136—*An act to amend an act entitled "An act to create the office of road supervisor in Elko County, to fill the same by appointment, to prescribe the duties and compensation of said office, and other matters in relation thereto," approved March 14, 1907.*

[Approved March 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section four of the above-entitled act is hereby amended to read as follows:

Road super-
vision in
Elko County

Section 4. In addition to his other duties, the road supervisor thus appointed shall attest to the propriety of all bills for work done under his supervision, and he shall direct the expenditure of all sums set apart for his district by the board of county commissioners; *provided, however,* that except in cases of emergency no money shall be expended upon the roads of any road district without the previous authorization of the board of county commissioners, and in all cases where the estimated cost of any piece of work upon a public road, in any road district shall be not less than fifty dollars (\$50), and not more than five hundred dollars (\$500), the said board of county commissioners may, in their discretion, contract for such work upon not less than five days' notice for bids given by posting a notice at the court-house in the town of Elko, and in three public places in said road district.

CHAP. 137—*An act to amend an act entitled "An act granting a franchise unto Nevada Telephone-Telegraph Company, a corporation organized and existing under the laws of the State of Nevada, its successors and assigns, to complete and operate a telephone and telegraph line from the town of Reno, in Washoe County, to the town of Ely, in White Pine County, via Carson City, Ormsby County; Dayton, Lyon County; Fort Churchill, Lyon County; Tonopah, Nye County; along, across and under highways and certain lands between the said termini," approved March 22, 1909.*

[Approved March 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section two of said act is hereby amended to read as follows:

Time of com-
mencing
construction
extended

Section 2. The construction of said line or lines shall be commenced within one year from the passage of this act, and any portion of said right of way over which said line has not been constructed within four years from the passage of this act shall be considered abandoned and forfeited.

CHAP. 138—*An act providing for the establishment of private fish hatcheries for artificial propagation, culture and maintenance of food fishes, for their regulation and licensing, and for the sale, shipment, transportation and disposition of fish raised and propagated therein or thereby, and prescribing a penalty for the violation of the provisions thereof.*

[Approved March 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Any person may establish a private fish hatchery for the artificial propagation, culture and maintenance of food fishes; and any person lawfully conducting any such private fish hatchery, and engaged in the artificial propagation, culture and maintenance of fishes, may take them in his own enclosed waters wherein the same are so cultivated and maintained, at any time and for the purposes herein mentioned and none other.

Private fish hatcheries may be established

SEC. 2. The products of such fish hatchery, fish spawn, fry or fish may be sold at any time of the year by such hatchery, or their then vendees, after having first complied with the terms of this act, and the regulations of the state fish commission, in relation thereto.

Products may be sold

SEC. 3. No fish spawn, fry or fish from any private hatchery shall be sold under the terms of this act, unless location and plan of such hatchery be approved by the state fish commission, and the same duly licensed as a private hatchery.

Restrictions regarding sales

SEC. 4. Each private fish hatchery, before it shall be entitled to the benefits of this act, shall pay to the county treasurer of the county wherein such hatchery is located, an annual license fee of ten dollars (\$10), and such fee shall be credited to the game and fish preservation fund of such county.

County license for hatchery

SEC. 5. Every person, firm or corporation engaged in the business of buying and selling, packing and preserving, or otherwise dealing in trout or other food fishes, obtained from private hatcheries of this state, shall procure a license for such business from the fish and game warden of the county wherein such selling, packing, and preserving is done, and shall pay an annual license fee of \$2.50.

License for dealers

SEC. 6. When the proprietor of any licensed fish hatchery shall sell or dispose of any fish as herein provided, he shall at the same time deliver to the purchaser or donee or attach thereto an invoice signed by the proprietor, or his agent, stating the number of his license, and the name of such hatchery, the date of disposition, the kind, and as near as practicable the weight and number of such fish, the name and address of the purchaser, consignee or donee. Such invoice shall authorize transportation and use for six days after this date, and shall be substantially in the following form:

Invoice to go with every sale of fish

STATE OF NEVADA, DEPARTMENT OF FISH COMMISSION
Private Hatchery Invoice

Form of
invoice

Name of Hatchery,
 Number of License, Date,, 191.....
 Kind and number of fish,
 Weight of same, pounds.
 Name of Consignee,
 Address of Consignee,

This authorizes transportation within this state, possession and sale for six days after date, if attached to article.

By, Proprietor.
, Agent.

Duplicate
invoice

Proviso

Such proprietor or his agent shall at the same time mail, post-paid, or otherwise deliver, a duplicate of such invoice to the county fish and game warden of the county in which such hatchery is located; *provided*, that no invoice shall be required in case of fish lawfully taken or killed in such private hatchery during the open season therefor, and within the quantity provided by law while in the possession of the person killing the same, during the open season and for five days thereafter.

Invoice
attached to
shipment

SEC. 7. When any such fish for which an invoice is required is to be shipped by rail, express or other carrier, public or private, the invoice shall be securely attached thereto, or to the package containing the same, in plain sight and the same may then be lawfully carried and delivered within this state to the consignee named in such invoice. If such fish is held, exposed or offered for sale, or sold by the consignee, or kept in any storage, hotel, restaurant, cafe or boarding-house, such invoice shall be kept attached thereto as aforesaid until the same shall have been prepared for consumption. In case of a sale or disposal of a part of such fish, the vendor shall at the same time make a copy of such invoice and indorse thereon the date of sale, the number and kind of fishes disposed of, and the name of the purchaser, and sign and deliver the same to the purchaser or donee, who shall keep it attached as aforesaid until the fish is prepared for consumption, and the same shall have the same force and effect as the original invoice.

False invoice
illegal

Proprietors
to report to
state fish
commission

SEC. 8. Any wilful misstatement in, or any omission of a substantial requirement from any invoice or copy thereof, shall render the same void and be deemed a violation of this act, and the possession of such fish shall be unlawful, and the possession of any fish without such invoice or a copy thereof, attached thereto, when so as above required, shall be unlawful. The proprietor of every private hatchery, licensed under the preceding sections, shall whenever required by the state fish commission, make and send to the commission a report showing as near as practicable the kind and number of the fish added and disposed of during the year preceding, and on hand at the date of the invoice.

Penalty

SEC. 9. Any person or persons, or the agent of any corporation or company, violating any of the provisions of this act

shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine of not less than one hundred dollars (\$100), nor more than two hundred dollars (\$200), or by imprisonment in the county jail not exceeding one hundred days, or by both such fine and imprisonment. Penalty

CHAP. 139—*An act to amend an act entitled "An act creating a school of mines, to be located at Virginia City, Nevada," approved March 20, 1903.*

[Approved March 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of said act is hereby amended so that the same shall read as follows: Virginia
mining
school

There is hereby created a school of mines, to be known as the Virginia City school of mines, to be located at Virginia City, Storey County, Nevada, to be under the direction and control of the state board of education. The principal in charge of said school of mines shall receive a salary of two thousand dollars per annum, payable in twelve equal monthly installments on the first day of each and every month during the time this act and the provisions thereof shall remain in force and effect. Salary of
principal

SEC. 2. The said state board of education are hereby authorized and empowered to expend for the support and maintenance of the Virginia City school of mines for the years 1911 and 1912, in addition to the salary of the principal in charge of said school of mines, the sum of four hundred and twenty-five dollars (\$425). Expenditure
for support
of school

CHAP. 140—*An act to provide for the erection and equipment of an electrical building at the University of Nevada at Reno, Nevada, and making an appropriation therefor.*

[Approved March 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The board of regents of the University of Nevada is hereby authorized and directed to construct and equip a suitable building upon the university land at Reno to be known as an electrical building, and to be used for purposes of instruction and research in electrical engineering and kindred subjects. Electrical
building for
university

SEC. 2. The building shall be of brick, stone, and cement, and, with its equipment, shall not exceed in cost the sum of forty thousand (\$40,000) dollars. Character of
building

Appropriation

SEC. 3. Forty thousand (\$40,000) dollars are hereby appropriated out of any money in the general fund, not otherwise appropriated, for the construction and equipment of said electrical building, and in no case shall a contract be entered into for the building and equipment which shall exceed the sum of forty thousand (\$40,000) dollars.

Duties of controller and treasurer

SEC. 4. The state controller is hereby authorized and directed to draw his warrant on the state treasury for the amount of these claims when approved by the board of regents of the state university and by the state board of examiners, and the state treasurer is hereby directed to pay the same.

CHAP. 141—*An act to provide for the measurement of water used on irrigated areas, the determination of the losses from irrigating ditches and the remedies therefor, and a study of the evaporation losses and the remedies therefor, and a study of the best methods of distributing and applying water in growing crops in the State of Nevada, in cooperation with the United States department of agriculture, the Nevada Agricultural Experiment Station and the state engineer.*

[Approved March 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriation for measurement of water on irrigated area

SECTION 1. For the measurement of water used on irrigated areas, the determination of the losses from irrigating ditches and the remedies therefor, and a study of the evaporation losses and the remedies therefor, and a study of the best methods of distributing and applying water in growing crops in the State of Nevada during the years 1911 and 1912, the sum of four thousand dollars is hereby appropriated out of the general fund of the state. This sum shall be credited to the investigations carried on by the officer or representative of the United States department of agriculture in charge of irrigation investigations, in association with the Nevada Agricultural Experiment Station and the state engineer; said money, or any part thereof, to be available when the officer or representative of the United States department of agriculture in charge of irrigation investigations on behalf of the federal government shall have certified to the governor of the State of Nevada that an equal or greater sum will be allotted for investigation in the State of Nevada for the years 1911 and 1912 out of any appropriation made by the congress of the United States for such work.

Restriction as to use of appropriation

Measurements, how conducted

SEC. 2. The measurements and investigations contemplated by this act shall be planned and supervised jointly by the Nevada Agricultural Experiment Station, the state engineer and the officer or representative of the United States department of agriculture in charge of irrigation investigations,

but its execution shall be placed in direct charge of a competent state agent to be selected by the officer or representative of the United States department of agriculture in charge of irrigation investigations, by and with the approval of the Nevada Agricultural Experiment Station and the state engineer, and the expenses thereof shall be allowed and paid out of the money appropriated for that purpose upon the vouchers signed by the agent in charge of such investigations and certified by the chairman and secretary of the state board of irrigation in the same manner that other claims against the state are allowed and paid.

SEC. 3. After the reports of the results of any investigations made under the provisions of this act shall have been made to the United States department of agriculture, the State Printing Office shall publish such additional copies of these reports for distribution to the citizens of the State of Nevada as the board of irrigation shall direct. Reports may be printed

SEC. 4. The results of these investigations shall be reported to the state board of irrigation from time to time, as said board shall direct. Report of results

CHAP. 142—*An act to provide for the purchase, publication, distribution and sale of a digest of the Nevada supreme court reports, and making an appropriation therefor.*

[Approved March 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The justices of the supreme court of this state are hereby authorized to contract for and purchase of Edward T. Patrick his digest of the decisions of the Nevada Supreme Court in manuscript form, at and for the price and sum of not more than two thousand five hundred dollars. Patrick's digest purchased

SEC. 2. Said digest shall be full and complete, and shall cover all the decisions of the supreme court of this state and all cases in the federal courts originating in this state, and also all necessary references to the Pacific Reporter, American Decisions, American Reports, American State Reports, Lawyers' Reports Annotated, and all series of selected cases so far as any Nevada decisions appear therein. It shall also contain a complete table of cases digested, references to all citations of Nevada cases in the Nevada Reports, and full scope notes, and shall be completed to the satisfaction of the said justices. What digest must cover

SEC. 3. Upon purchase of said manuscript copy, the same shall be deposited with the state printer, who shall at once, in as expeditious and economical a manner as possible, proceed to print in good style, and to the approval of said justices, upon good book paper, one thousand copies of said digest, and shall have bound in good, workmanlike manner, in law sheep or buckram, subject to the approval of said justices, five hun- State printer to print digest

dred copies thereof, and upon completion of the printing and binding of said number of copies of said digest, shall deliver the same to the secretary of state.

SEC. 4. The secretary of state shall deliver one bound copy of said digest to each of the persons, libraries and associations now entitled to receive the laws and the reports of the supreme court of this state, and he shall also deliver one bound copy thereof to each elective state officer of this state, subject to the rules and restrictions now governing the distribution of the statutes and reports of this state. He shall also, from time to time, distribute said digests to such literary and scientific institutions, publishers and authors as in his opinion may secure an interchange of works which may be properly placed in the state library. He shall reserve ten copies thereof for the use of the legislature when in session. He shall place in the state library ten copies thereof, and the remainder of said bound volumes he shall sell as they may be called for, at not less than ten dollars per volume, and he shall pay all moneys received from such sales into the state treasury. The remaining unbound sheets shall be bound in lots of not less than one hundred copies at a time as they may be required.

SEC. 5. All copies of said digest distributed under this act to state officers of this state, as aforesaid, shall be state property, and shall be by said officers turned over to their successors in office.

SEC. 6. The sum of seven thousand dollars is hereby appropriated, out of any moneys in the state treasury not otherwise appropriated, for the purpose of purchasing said manuscript and printing, publishing and distributing said digest as hereinbefore provided.

SEC. 7. Upon approval of claims against said fund by the state board of examiners the state controller is authorized and directed to issue warrants therefor and the treasurer is directed to pay the same.

CHAP. 143—*An act requiring nonresident, joint-stock companies, associations and corporations doing a building and loan business to furnish security before doing business in this state, and prescribing a penalty for a failure to do so.*

[Approved March 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. From and after the passage of this act no joint-stock company, association or corporation heretofore or hereafter organized under the laws of any other state, territory or foreign country, for the purpose of engaging in the building and loan business, or to borrow, loan or invest money, or dealing in investment certificates, or other similar business, except a banking business, shall be allowed to continue or to do business,

without having first deposited with the state treasurer the sum of ten thousand dollars in money or United States or municipal bonds of this state, or in first mortgages upon real estate located within this state, or in first mortgages upon real estate of some other state or territory of the United States, and in addition thereto when the amount due upon investment certificates issued to residents of this state shall exceed one hundred thousand dollars, an additional deposit equal to ten per cent of such excess over one hundred thousand dollars so issued; such securities so deposited to be approved by the state treasurer, as a guaranty fund for the protection and indemnity of residents of the State of Nevada, with whom such companies, associations or corporations shall do business; the fund so deposited to be paid by the custodian thereof to the residents of Nevada only; and not then until proof of claim of unsatisfied final judgment has been filed with the custodian of such fund against such foreign company, association or corporation. Any of the securities so deposited may be withdrawn at any time upon other herein provided for, in like amount, being substituted in lieu thereof.

Regulations for building and loan companies

SEC. 2. All joint-stock companies, associations or corporations transacting business in this state, under the provisions of this act, shall, on or before the first day of January of each year, file with the state treasurer a statement duly sworn to, showing the amount then due from them on investment certificates to residents of this state, which shall be the basis for the amount of money or securities, to be by them deposited as specified in section one of this act.

To file statement with state treasurer

SEC. 3. Any person or persons who shall be found in this state as agent, or in any other capacity, representing such non-resident or foreign company, association or corporation, which has not complied with the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined not exceeding five hundred dollars, or imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment.

Penalty

SEC. 4. Any company, association or corporation subject to the provisions of this act, which has not fully complied with the terms thereof, shall not be permitted to commence, prosecute or maintain any action in any court of this state.

Conditions precedent to commencing business

SEC. 5. An act entitled "An act requiring certain nonresident joint-stock companies, associations and corporations doing a building and loan business to furnish security before doing business in this state, and prescribing the penalty for a failure to do so," approved March 14, 1907, is hereby repealed.

Repeal of act

CHAP. 144—*An act providing for a state board of capitol commissioners, defining their duties and powers, and repealing all acts in conflict therewith.*

[Approved March 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Board of capitol commissioners SECTION 1. The governor, lieutenant-governor, secretary of state, state controller, and state treasurer shall constitute a board of capitol commissioners.

Officers of board SEC. 2. The governor shall be chairman of said board, and in case of his absence a temporary chairman shall be chosen from among the members present. Three members of said board shall constitute a quorum for the transaction of all business, and shall determine all questions that may come before said board. The governor's private secretary shall be clerk of said board and shall keep a complete and correct record of all the transactions of said board.

Duties of board SEC. 3. Said board shall have supervision over and control of the state capitol building, the capitol grounds and state waterworks, the State Printing Office building and grounds, and all other state buildings, grounds and properties not otherwise provided for by law.

To control certain expenditures SEC. 4. Said board shall control the expenditure of all appropriations for furnishing, repairing and maintaining said buildings and grounds, offices and property connected therewith; for defraying all contingent expenses of all state and other offices about said building; for transportation of books and documents and for storage and transportation of state property.

May rent additional offices SEC. 5. Said board shall have power to lease and equip office rooms outside of state buildings for the use of state officers whenever sufficient provision for such officers cannot be provided in the capitol or other buildings.

Legislative chambers may be used for public purposes SEC. 6. Said board is authorized, in their discretion, to permit the use of the senate and assembly chambers in the capitol building, when not being used by the legislature, for any public meeting intended to promote the public welfare.

May transfer personal property SEC. 7. Said board may authorize the transfer of any property in any of the buildings under their control or offices therein, whenever the same is no longer needed in such building or office, to any other office or state institution, whether under the control of said board or not, where such property may be needed.

May sell movable property SEC. 8. Said board may sell any personal or movable state property in or about any of the buildings or offices under their control whenever the same is no longer of use to any state institution and when in the judgment of the board it will be of advantage to the state to make such sale. Such sales may only be made at a meeting when all the members of the board

have been notified, and a full and complete record of all such sales shall be entered upon the minutes of such board, giving a description of the property sold, to whom, and the price obtained therefor. The clerk of said board shall, prior to the meeting of each regular session of the legislature, prepare a complete inventory of all property so sold, together with the price obtained therefor, and a copy of such inventory shall be furnished to the committees on ways and means of the senate and assembly.

SEC. 9. Said board shall cause one or more of the employees mentioned in the next section, once each year, to make an inventory of all property in said buildings or offices subject to the control of said board. Annual inventory

SEC. 10. Said board is authorized to employ two night watchmen, one janitor, one fireman and one gardener at a salary of not exceeding one hundred and ten dollars per month each, providing the watchman whose duty it shall be to guard the vault of the state treasury shall be designated by the state treasurer. Said board is also empowered to employ such additional assistance as necessity may require. Said employees shall perform such duties as said board may direct and may be transferred from one branch of employment to another, and they shall take care of all the buildings, grounds and offices under the control of said board. May employ certain help

SEC. 11. Said board shall hold monthly meetings and may be called in special session by the chairman or by two of its members. Meetings

SEC. 12. All acts and parts of acts in conflict with this act are hereby repealed. Repeal

CHAP. 145—*An act amending section thirty-three of an act entitled "An act concerning and fixing standard weights and measures and to regulate the sale of commodities or articles of merchandise according to such standards, and to provide fines, penalties, and damages for the violation thereof, and for rules of evidence relating thereto; and to provide for the inspection of weights, measures and weighing and measuring devices and for the enforcement thereof and making an appropriation for the carrying out of this act," approved March 9, 1911.*

[Approved March 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section thirty-three of an act entitled "An act concerning and fixing standard weights and measures, and to regulate the sale of commodities or articles of merchandise according to such standards, and to provide fines, penalties and damages for the violation thereof, and for rules of evidence Amending weights and measures law as to time of taking effect

relating thereto; and to provide for the inspection of weights measures and weighing and measuring devices, and for the enforcement thereof, and making an appropriation for the carrying out of this act," approved March 9, 1911, is hereby amended so as to read as follows:

Section 33. This act shall take effect June first, nineteen hundred and eleven.

CHAP. 146—*An act for the relief of Nevada Ballard.*

[Approved March 20, 1911]

Relief of
Nevada
Ballard for
injuries
sustained in
state library
building

WHEREAS, Nevada Ballard, the wife of W. S. Ballard, on the thirtieth day of July, one thousand nine hundred and ten, in descending the narrow stairway leading to the ladies' toilet in the basement of the Nevada state library building, fell therefrom, receiving great bodily injury which disabled her for life and incapacitated her from performing any kind of labor, which said stairway was unsafe and dangerous, being unprotected by railing and without light to guide her footsteps; and

WHEREAS, The said W. S. Ballard has laid out and expended a large sum of money for medical services and nursing at Carson City and in the city of San Francisco in the vain endeavor to cure her of the injuries received as aforesaid; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriation of \$4,000

SECTION 1. The sum of four thousand dollars is hereby appropriated out of any moneys in the general fund of the state treasury not otherwise appropriated for the relief of the said Nevada Ballard in full compensation for the injuries sustained.

Duties of controller and treasurer

SEC. 2. The state controller is hereby directed to draw his warrant in favor of the said Nevada Ballard for the sum of four thousand dollars, and the state treasurer is hereby directed to pay the same on the execution and delivery by the said Nevada Ballard and W. S. Ballard of a proper release to the state for any further claims for damages for such injuries, such release to be approved by the attorney-general.

CHAP. 147—*An act to provide for the improvement and furnishing the State Orphans' Home, appropriating money therefor, and other matters relating thereto.*

[Approved March 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The following sums of money are hereby appropriated, from any moneys in the state treasury not otherwise appropriated, for the purposes hereinafter expressed, for the improvement and furnishing of the State Orphans' Home. For improvement of orphans' home

SEC. 2. For the building of a steel water tank and tower, of a capacity of twenty thousand gallons, and connecting same to the state water supply, three thousand dollars. Water tank, etc.

SEC. 3. For building a suitable runway to connect with the second story of the main building, to be used as a fire-escape, and for the repairs of the room above boys' playroom, eight hundred dollars. Fire-escape

SEC. 4. For the employing of a regular physician at a salary of seventy-five dollars per month, eighteen hundred dollars. Physicians

SEC. 5. For the purchase of boys' and girls' periodicals and magazines, one hundred dollars. Children's papers

SEC. 6. For the purchase of suitable tables, rockers and chairs, one hundred and seventy-five dollars. Furniture

SEC. 7. For the purchase of linoleum for the boys' and girls' dormitories, halls, sickrooms, dining-room and nursery, fourteen hundred dollars. Linoleum

SEC. 8. For the purchase of a piano for the home, three hundred dollars. Piano

SEC. 9. For the purchase of carpets and rugs in reception rooms and bedrooms (fourteen rooms in all), five hundred dollars. Carpets

SEC. 10. The superintendent of the State Orphans' Home and the state orphans' home board of directors shall immediately proceed to carry out the provisions of this act upon its passage and approval, and the state controller shall draw his warrants for the several amounts and the state treasurer shall pay the same; *provided*, that all claims as herein specified must be audited and approved by the state board of examiners. Officers to carry out these provisions

CHAP. 148—*An act appropriating money for the purpose of furnishing filing-cases and equipment for the preservation of the records in the offices of the state controller, the adjutant-general, and the state superintendent of public instruction.*

[Approved March 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Filing-cases
for certain
officers

SECTION 1. The board of capitol commissioners are hereby authorized to purchase and install filing-cases and such other furniture and equipment as they may deem necessary for the preservation of the records in the offices of the state controller, the adjutant-general and the superintendent of public instruction in the State of Nevada. For this purpose they shall advertise for sealed bids for the period of thirty days in a newspaper or newspapers as required by law, and the contract shall be awarded to the lowest responsible bidder.

Appropriations

SEC. 2. The following sums are hereby appropriated out of the general fund for the purchase and installing of said filing-cases and equipment in said offices:

For the office of the state controller the sum of thirteen hundred and fifty dollars; for the adjutant-general's office the sum of twelve hundred and fifty dollars, and for the office of superintendent of public instruction the sum of four hundred dollars.

SEC. 3. The state controller is hereby directed to draw his warrants in payment of the claims specified in this act, and the state treasurer is hereby directed to pay the same.

CHAP. 149—*An act empowering all persons to copy or make abstracts or memoranda of all books and records of state and county officers and to utilize the same to supply the general public with copies, abstracts, and memoranda, and to otherwise make use thereof.*

[Approved March 20, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

State and
county
records may
be copied

SECTION 1. All books and records of the state and county officers of this state shall be open at all times during office hours to inspection by any person, and the same may be fully copied or an abstract or memoranda prepared therefrom, and any copies, abstracts or memoranda taken therefrom may be utilized to supply the general public with copies, abstracts or memoranda of said records or in any other way in which the

same may be used to the advantage of the owner thereof or of the general public.

SEC. 2. All acts and parts of acts in conflict with the provisions of this act are hereby repealed. Repeal

CHAP. 150—*An act to regulate banking and other matters relating thereto.*

[Approved March 22, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Any three or more persons, a majority of whom shall be residents of this state, may execute articles of incorporation and be incorporated as a banking corporation in the manner hereinafter provided. Said articles of incorporation shall contain: Bank, how incorporated

First—The corporate name adopted by the corporation, which shall not be the same name used by any corporation previously organized, or any imitation of such name. What articles of incorporation shall contain

Second—The place where its business is to be conducted.

Third—The purpose for which it is formed.

Fourth—The amount of its capital stock, which shall be divided into shares of the par value of one hundred dollars each, and which shall not be less than \$25,000.

Fifth—The name and place of residence of, and the number of shares subscribed by each stockholder.

Sixth—The names of the stockholders selected to act as the first board of directors, each of whom shall be a bona fide holder of at least one thousand dollars of the stock of said bank, fully paid and not hypothecated, and a majority of whom shall be residents of the same or an adjoining county or counties to that where its business is to be conducted.

Seventh—The length of time the corporation is to exist, which shall not exceed fifty years.

Eighth—And such other matters not inconsistent with law, as the incorporators may deem proper.

SEC. 2. Said articles of incorporation shall be subscribed to by at least three of the stockholders of the proposed banking corporation, and be acknowledged by them before some person competent to take an acknowledgment of deeds, and filed in the office of the clerk of the county in which the principal place of business of the corporation is intended to be located, and one copy thereof, duly certified by the clerk of said county, shall be filed in the office of the secretary of state, and another copy thereof, in like manner, shall be filed in the office of the state banking board. The secretary of Articles of incorporation must be signed by at least three stockholders

Secretary of
state to issue
certificate

Proviso

Statement to
be filed with
bank
examiner

Business in
which bank
may engage

state shall issue a certificate in the form provided by law for other corporations, and the existence of such bank as a corporation shall date from the issuance of the certificate by the secretary of state, from which time it shall have and may exercise the powers conferred by law upon corporations generally, except as limited or modified by this act; *provided*, that such bank shall transact no business except the election of officers and the taking and approving of their official bonds, and the receipt of payments on account of the subscriptions of the capital stock, and such other business as is incidental to its organization, until it shall have been authorized by the bank examiner to commence the business of banking as hereinafter provided.

SEC. 3. When the capital stock of any bank shall have been paid up, in cash, the president or cashier thereof shall transmit to the bank examiner a verified statement showing the names and places of residence of the stockholders, the amount of stock subscribed and the amount paid in by each, and the bank examiner shall thereupon have the same power to examine into the conditions and affairs of such bank as if it had been before that time engaged in the banking business, and if the bank examiner is satisfied that such bank has been organized as prescribed by law, and that its capital is fully paid in cash, and that it has in all respects complied with the law, he shall issue to such bank, under his hand and seal, a certificate showing that it has been organized and its capital fully paid up as required by law, and is authorized to transact a general banking business, upon payment of the license prescribed by this act; *provided*, that in the reorganization of any banking corporation, the assets may be accepted in lieu of cash at their actual value.

SEC. 4. A banking corporation organized under the provisions of this act shall be permitted to receive money on deposit, to buy and sell exchange, gold, silver, coin, bullion, uncurrent money and bonds, to loan money on chattel and personal security, or on real estate secured by mortgage; to own a suitable building, furniture, and fixtures, for the transaction of its business, the value of which shall not exceed one-third of the capital and surplus of said bank, fully paid; *provided*, that nothing in this section shall prohibit such bank from holding or disposing of such real estate as it may acquire through the collection of debts due it; *and provided further*, that all banking institutions and trust companies now organized as corporations doing business in this state are hereby permitted to continue said business as at present incorporated, but in all other respects, their business, and the manner of conducting the same, and the operation of said bank or trust company, shall be carried on, subject to the provisions of this act and in accordance therewith; *and provided fur-*

ther, that no bank or trust company, except those that have complied with the provisions of this act, shall engage in any other business than is authorized by this act.

SEC. 5. Any corporation organized under this act may state in its articles of incorporation that it will carry on a trust company business, either exclusively or in connection with the banking business, and such corporation shall thereupon have power, in addition to the powers conferred upon banks, to act as trustee under any mortgage or bond of any person, firm or corporation, or of any municipality or body politic; and accept and execute any municipal or corporate or individual trust not inconsistent with the laws of this state; to act under the order or appointment of any court as guardian, administrator, receiver or trustee; to act as executor or trustee under any will; and when appointed as such guardian, administrator, receiver, trustee or executor, it may, by order of the court having jurisdiction in the premises, be relieved from giving any security bond required by law; to act as fiscal or transfer agent of any state, municipality, body politic or corporation and in such capacity to receive and disburse money and register, transfer and countersign certificates of stock, bonds and other evidences of indebtedness; to act as local or resident agent of foreign corporations, and as agent for insurance companies.

May transact trust company business, when

SEC. 6. Any banking corporation designating its business as that of a savings bank shall have power to carry on a savings bank business as prescribed and limited in this act. Any savings bank may receive deposits, and such deposits shall be repaid to the depositors or their lawful representatives at such time and with such interest and under such regulations, assented to by the depositors, as shall be prescribed by said bank and approved by the state banking board, which regulations shall be printed and conspicuously posted in some place accessible and visible to all persons in the business office of said bank. The funds of any savings bank, except the reserve provided for in this act, shall be invested in bonds of the United States, or of any state of the United States, or in the public debt or bonds of any city, county, township, village or school district of any state of the United States which shall have been lawfully issued; or may be loaned on negotiable paper secured by any of the above-mentioned classes of security; or upon notes or bonds secured by mortgage lien upon unincumbered real estate; *provided*, that second mortgage loans may be made upon improved farm lands but no loans shall be made upon such lands or other real estate which, including the aggregate amount of all incumbrances shall exceed fifty per cent of the cash value thereof; or upon notes secured by collateral security of known marketable value; or shall be deposited in good solvent banks or held as cash; *pro-*

Savings bank business, when

Funds of savings bank how invested

Provided

vided, also, that chattel mortgages shall not be deemed collateral security and savings banks are prohibited from investing their funds in them.

Pass-book,
regulations
concerning

SEC. 7. A pass-book shall be issued to each depositor in a savings bank for all money deposited on open account. Such pass-book shall contain the rules and regulations adopted by such savings bank governing such deposits and shall be accepted by the depositor and thereupon shall be deemed agreed to by him. In such pass-book shall be entered each deposit made by and each payment made to such depositor; *provided, that nothing in this act shall prohibit a savings bank from issuing time certificates for deposits.* When any deposit is made in a savings bank by a minor the said bank may pay to such depositor such sums as may be due him or her, and the receipt of such minor to such savings bank shall be valid.

Minimum
capital,
\$25,000

SEC. 8. That hereafter no bank or trust company shall be organized, and no bank or banker shall be permitted to carry on business with a less capital than twenty-five thousand dollars, and the full amount of the capital stock of any bank or trust company must be paid in cash before it shall be authorized to commence business, or any individual banker be permitted to be in or continue business. No bank in this state shall hereafter open or maintain any branch bank or office. All of the provisions of this act shall be applicable as far as may be to individuals, firms or associations, as well as to corporations.

Capital stock
may be
increased or
diminished,
how

SEC. 9. The capital stock of any banking corporation doing business under the laws of this state may be increased or decreased at any time by a resolution adopted by two-thirds of its stockholders, at any regular meeting or at a special meeting called for that purpose, of which all stockholders shall have due notice, in the manner provided by the by-laws of such corporation. A certificate must be filed with the bank examiner by the officers of the meeting, and by a majority of the directors, showing the compliance with the provisions of this section, the amount to which the capital stock has been increased or decreased, the amount of capital stock represented at the meeting, and the vote upon the question to increase or decrease the capital stock. No such changes in the capital stock of any such corporation shall be valid or binding until the same shall have been approved by the bank examiner. No increase of the capital stock shall be approved by the bank examiner until the amount thereof shall have been paid in cash; *provided, however, that such increased capital may, when authorized by two-thirds of the stockholders of said bank, be paid in whole or in part from its surplus or undivided profits.* Whenever the capital stock of any bank shall be decreased, as provided in this section, each stockholder, owner, or holder of any stock certificate shall surrender the same for cancelation, and shall be entitled to

Proviso as to
increase

receive a new certificate for his proportion of the new stock. No decrease in the capital stock of any bank shall be approved, unless such bank with reduced capital shall be entirely solvent, and no reduction in capital shall be approved to an amount less than is authorized by this act. Whenever the capital stock of any bank shall be increased or decreased as provided in this section, and the same shall have been approved by the bank examiner, a certificate signed by the president and cashier of the bank, setting forth the amount of stock held by such shareholder shall be filed with the secretary of state, with the county clerk and with the banking board.

SEC. 10. The affairs and business of any banking corporation organized under the laws of this state shall be managed or controlled by a board of directors, of not less than three in number, who shall be selected from the stockholders in January of each year, and in such manner as may be provided by the by-laws of the corporation. No person shall be eligible to serve as a director of any bank, organized or existing under the laws of this state, unless he shall be a bona fide owner of one thousand dollars of the stock of such bank, fully paid and not hypothecated. A majority of the board of directors of every bank shall reside in the county where its business is to be conducted or in an adjoining county or counties. Any director, officer, or other person, who shall participate in any violation of the laws of this state, relative to banks, shall be liable for all damages which the said bank, its stockholders, depositors or creditors, shall, in consequence of such violation, sustain. Such director, when appointed shall take, in addition to the usual oath, an oath that he will, so far as the duty devolves upon him, diligently and honestly administer the affairs of such bank, and will not knowingly violate, or willingly permit to be violated, any of the provisions of this act, and that he is the owner, in good faith and in his own right of the number of shares of stock required by this act, subscribed by him and standing in his name on the books of the corporation; that the same is not hypothecated or in any way pledged as security for any loan or debt. Such oath subscribed by the director making it and certified by the notary public before whom it was taken, shall be immediately transmitted to the bank examiner, and shall be filed and preserved in his office. The directors shall elect from their number, president, vice-president or vice-presidents, and shall appoint a cashier, who shall be ex officio secretary, and such other officers as may be provided for in the by-laws. Such officers shall hold their offices for the term of one year and until their successors have been elected and qualified, unless sooner removed by the board of directors. The board shall require the cashier, and any and all officers and employees of the bank, having care of the funds, to give a good and sufficient bond to be approved by them. The board of directors shall hold at least four (4) regular meetings each year,

Board of directors, not less than three, must be legal stockholders

Majority must be residents of county

Officers liable

Oath of directors

Officers of board of directors

Regular meetings

and at such meetings a thorough examination of the books, records, funds and securities held by the bank or trust company, shall be made and recorded in detail upon its record book.

Bank closed when officers violate law SEC. 11. The violation of any of the provisions of this act by the officers or directors of any bank, organized or existing under the laws of this state shall be sufficient cause to subject the said bank or trust company to be closed and liquidated and for the annulment of its charter.

Stockholders individually liable SEC. 12. The stockholders of any bank organized under this act, shall be individually liable to the creditors thereof, equally and ratably, and not one for another, in addition to the amount of stock owned by them, in a sum equal to the par value of such stock and no more.

Bank not to engage in commerce or trade SEC. 13. No bank shall employ its moneys, directly or indirectly, in trade or commerce by buying or selling goods, chattel wares or merchandise, and shall not invest any of its funds in the stock of any other bank or trust company or corporation, nor make any loans or discounts upon the security of the shares of its own capital stock, nor be the purchaser or holder of any such shares, unless such security or purchase shall be necessary to prevent loss upon a debt previously contracted in good faith, and stock so purchased or acquired shall, within twelve months from the time of its purchase, be sold or disposed of at public or private sale; after the expiration of twelve months any such stock shall not be considered as part of the assets of any bank or trust company; *provided*, that it may sell or become the owner of any personal property which may come into its possession as collateral security for any debt or obligation due it, according to the terms of any contract depositing such collateral security, and if there be no such contract then collateral security may be sold in the manner provided by law.

Proviso

Available funds must equal 15 per cent of entire deposits SEC. 14. Every bank doing business under the laws of this state shall have on hand in available funds an amount equal to fifteen per cent of its entire deposits; two-thirds of such amount may consist of balances due from good, solvent banks, selected from time to time, with the approval of the bank examiner, and one-third shall consist of actual cash; *provided*, that any bank that has been made the depositary for the reserve of any other bank or banks shall have on hand in the manner provided herein twenty-five per cent of the deposits.

Proviso

Restrictions when funds are below required amount Whenever the available funds in any bank shall be below the required amount, such bank shall not make any new loans or discounts otherwise than the discounting or purchasing of bills of exchange, payable at sight; nor make any dividends of its profits until the required proportion between the aggregate of its deposits and its lawful money reserve shall have been restored and the bank examiner shall notify any bank whose lawful money reserve shall be below the amount required to be kept on hand, to make good such reserve, and

if such bank shall fail to do so for a period of sixty days after such notice, it shall be deemed to be insolvent and the bank examiner may take possession of the same and proceed in the manner provided in this act, relating to insolvent banks. The bank examiner may refuse to consider, as a part of its reserves, balances due from any bank which shall refuse or neglect to furnish him with such information as he may require from time to time, relating to its business with any other bank doing business under this act, which shall enable him to determine its solvency; *provided*, that all banks doing a savings bank or trust company business, but which do not transact a general banking business, shall be required to keep on hand at all times, in available funds, a sum equal to ten per cent of their deposits, one-half of which may consist of balances due from good solvent banks.

When bank deemed insolvent

Proviso as to certain banks

SEC. 15. The total liability to any bank of any person, company, corporation or firm for money borrowed, including in the liability of the company or firm, the liabilities of the several members thereof, shall not at any time exceed twenty-five per cent of the capital stock and surplus of such bank, actually paid in, but the discount of bills of exchange drawn in good faith against actual existing values, as collateral security, and a discount or purchase of commercial or business paper, actually owned by the persons, shall not be considered as money borrowed.

Bank's liabilities never to exceed 25 per cent of capital stock and surplus

SEC. 16. Every officer, director, proprietor, partner, agent or clerk of any bank doing business under the laws of the State of Nevada, who knowingly or willingly subscribes to, or makes any false report or makes any false statement or entries in books of such bank, or knowingly subscribes to or exhibits any false writings on paper with the intent to deceive any person or persons as to the condition of such bank, shall be deemed guilty of a felony, and shall be punished by a fine not to exceed one thousand dollars or by imprisonment in the state prison not to exceed five years, or by both such fine and imprisonment.

False statement, how punished

SEC. 17. It shall be unlawful for any director, proprietor, partner, officer or employee of any bank or trust company to become an endorser or surety for loans to any other person, or in any manner become obligor for money borrowed of or loaned by such bank. The office of any director, officer or employees, who act in contravention to the provisions of this section, immediately thereon becomes vacant, and no such director, officer or employee shall be elected or appointed to such vacancy while such indebtedness exists.

No proprietor, officer or employee to endorse loans

SEC. 18. It shall be unlawful for any director, officer or employee of any bank directly or indirectly, for himself or as the agent of others, to borrow money from such bank or trust company, unless he gives good and sufficient security for the repayment of such loan, which loan and security must be approved by a majority vote of the directors, in regular or

No director, etc., to borrow without approval of majority of board of directors

in special meeting assembled, the applicant not voting, and all the proceedings relating thereto shall be recorded at length in the records of the bank.

Insolvent
bank must
not receive
deposits

SEC. 19. It shall be unlawful for any president, director, manager, cashier, or other officer or employee of any banking institution, or proprietor of, or partner in any bank, to assent to the reception of deposits or the creation of debts by such banking institution after he shall have had knowledge of the fact that it is insolvent or in failing circumstances, and it is hereby made the duty of every such officer, manager, proprietor, or agent of, or partners in such banking institution to examine into the affairs of the same and if possible to know its condition, and upon the failure of any such person to discharge such duty, he shall for the purpose of this act, be held to have had knowledge of the insolvency of such bank or trust company, or that it was in failing circumstances. Every person violating the provisions of this section shall be individually responsible for deposits so received, and all such debts so contracted; *provided*, that any director who may have paid more than his share of the liabilities mentioned in this section, may have a proper remedy at law against such other persons as shall not have paid their full share of such liabilities, and every person knowingly violating the provisions of this section, or who shall be accessory to, or permit or connive at the receiving or accepting of any such deposits, shall be guilty of a felony and upon conviction thereof, shall be punished by a fine not exceeding five thousand dollars, or by imprisonment in the state prison not exceeding five years, or by both such fine and imprisonment.

Directors
and officers
individually
responsible

Penalties

Misdemeanor,
when

Felony, when

SEC. 20. An officer, agent, teller or clerk of any bank, and every individual banker or agent, and any teller, clerk or agent of an individual banker who receives any deposit, knowing that such bank or banking institution or banker is insolvent, is guilty of a misdemeanor, if the amount of such deposit is less than thirty dollars; if the amount or value of such deposit is fifty dollars, or more, such person shall be guilty of a felony, punishable by imprisonment for not less than one nor more than five years, or by fine of not less than five hundred nor more than five thousand dollars, or by both such imprisonment and fine.

Bank to
report quar-
terly or
oftener

Report
sworn to;
what must
contain

SEC. 21. Every bank shall make at least four reports each year, and oftener if called upon, to the bank examiner, according to the forms which may be prescribed by him verified by the oath or affirmation of its president, vice-president or cashier, and attested by the signatures of at least two of the directors. Each report shall exhibit in detail and under the appropriate heads, the resources and liabilities of such bank at the close of business on any past day specified by the bank examiner, and shall be transmitted to him within ten days after the receipt of a request or requisition therefor by him, and shall be published in condensed form, according to

his requirements, within ten days after same is made, in a newspaper published in the county in which such bank is established, for one insertion at the expense of the bank, and such proof of publication shall be furnished within five days after the date of publication, as may be required by the bank examiner. The bank examiner shall also have power to call for special reports which need not be published, from any bank, whenever, in his judgment, the same is necessary, in order to gain a full and complete knowledge of its condition; *provided*, the reports authorized and required by this section, to be called for by the bank examiner, shall relate to a date prior to the date of such call to be specified therein; *provided*, that no written report shall be made giving the name or names of the debtor or debtors of such bank.

Special reports, when

Proviso

SEC. 22. Every bank which fails to make and transmit or to publish any report required under this act, shall be subject to a penalty of fifty dollars for each day after the period mentioned in the preceding section, that it delays to make and transmit its report or the proof of publication. Whenever any bank delays or refuses to pay the penalty herein imposed for a failure to make and transmit or to publish a report, the bank examiner is hereby authorized to maintain an action, in the name of the state, against the delinquent bank for the recovery of such penalty, and all sums collected by such action shall be paid into the general fund of the state.

Penalties for failure to report

Suit for fines, when

SEC. 23. Any bank doing business under this act may place its affairs and assets under the control of the bank examiner by posting a notice on its front door as follows: "This bank is in the hands of the state bank examiner." The posting of such notice or the taking possession of any bank by the bank examiner shall be sufficient to place all of its assets and property of whatever nature in the possession of the bank examiner, and shall operate as a bar to any attachment proceedings, and the said bank shall be liquidated and its property and assets administered as in this act provided.

Bank may close voluntarily, how

SEC. 24. Any bank doing business under this act, may voluntarily liquidate by paying off all its depositors in full and upon filing a verified statement with the bank examiner, setting forth the fact that all its liabilities have been paid, and on the surrendering of its certificate of authority to transact a banking business, it shall cease to be subject to the provisions of this act, and may continue to transact a loan and discount business under its charter; *provided*, that the bank examiner shall make an examination of any such bank for the purpose of determining that all its liabilities have been paid.

Voluntary liquidation, method of

SEC. 25. A bank shall be deemed to be insolvent:

First—When the actual value of its assets is insufficient to pay its liabilities;

Bank insolvent, when

Second—When it is unable to meet the demands of its creditors in the usual and customary manner;

Third—When it shall fail to make good its reserve as required by law ;

Dividends declared, when only SEC. 26. The directors or owner of any bank doing business under this act, may declare dividends of so much of the net profits as they may judge expedient, but such bank shall, before the declaring of the dividend, carry not less than one-tenth of its net profits since the last preceding dividend to its surplus fund, until the same shall amount to twenty per cent of its capital stock.

Losses, how charged SEC. 27. Any losses sustained by any bank, in excess of its undivided profits, may be charged to its surplus fund ; *provided*, that its surplus fund shall thereafter be reimbursed from its earnings, in the same proportion to its earnings, as provided in the preceding section.

Capital never to be withdrawn SEC. 28. No bank or bank officer or director thereof, or individual banker, shall withdraw or permit to be withdrawn, either in form of dividends or otherwise, any portion of its capital. If losses have at any time been sustained by such bank equal to, or exceeding its undivided profits, then on hand, no dividend shall be made, and no dividend shall be declared by any bank while it continues its banking business to any amount greater than its profits on hand, deducting therefrom its losses, to be ascertained by a careful estimate of the actual value of its assets at the time of making such dividends. Nothing in this section will prevent the reduction of the capital stock of any bank in the manner prescribed herein.

Interest on time deposits no more than 4 per cent SEC. 29. No bank shall pay interest on time deposits directly or indirectly at a greater rate than four per cent per annum. Any banker, or officer, director or employee of a bank who shall violate the provisions of this section shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500), or by imprisonment in the county jail not exceeding six months, or both at the discretion of the court.

Penalty

Officers guilty of felony, when SEC. 30. Every banker, officer, employee, director or agent of any bank or trust company, who shall, wilfully or maliciously neglect to perform any duty required by this act, or who shall wilfully or maliciously fail to conform to any material lawful requirement made by the bank examiner, shall be deemed guilty of a felony, and upon conviction thereof shall be punished by a fine not to exceed one thousand dollars, or by imprisonment in the state prison not to exceed five years, or by both such fine and imprisonment.

Bank examiner to offer rewards, when SEC. 31. The bank examiner shall have power to offer, under such conditions as he may deem proper, and not to exceed the sum of \$500 in any one case, rewards for the arrest and conviction of any officer, director, agent or employee of any bank or trust company charged with violating any of the laws of this state relating to banks and banking, for which a criminal penalty is provided, or for the arrest and

conviction of any person charged with stealing with or without force, any money, property or thing of value of any bank or trust company, and the state treasurer is hereby authorized, empowered and directed to pay out of the general fund of the state, all rewards so offered, when the same shall be approved by the board of examiners of this state, in the usual manner for allowing other claims against the state.

SEC. 32. It shall be unlawful for any officer, clerk or agent of any bank doing business under this act, to certify any check, draft or order drawn upon such bank, unless the person, firm or corporation drawing such check, draft or order has on deposit with the said bank at the time such check, draft or order is certified, an amount of money equal to the sum specified in said check. Any check, draft or order so certified by a duly authorized officer shall be a good and valid obligation against such bank, but the owner, officer, clerk or agent of any bank or banker, violating the provisions of this section shall be deemed guilty of a felony and upon conviction shall be punished by a fine not to exceed one thousand dollars, or by imprisonment in the state prison not to exceed five years, or by both such fine and imprisonment.

Unlawful to certify check when maker's deposit is not sufficient

SEC. 33. Every banker, president, director, cashier, teller, clerk, officer or agent of any bank or banker who embezzles, abstracts, or wilfully applies any moneys, funds, securities or credits of any bank, or who issues or puts forth any certificate of deposit, draws any draft, bill of exchange, mortgage, judgment, or decree, or who makes use of any bank in any manner, with intent in either case to injure or defraud any bank or individual, person, company or corporation, or to deceive any banker, or officer of any bank, and any person who, with like intent, aids or abets any officer, clerk, or agent in any violation of this section, shall be deemed guilty of a felony and upon conviction thereof shall be punished by a fine not to exceed five thousand dollars or by imprisonment in the state prison not to exceed twenty years, or by both such fine and imprisonment.

Penalties for various unlawful acts

SEC. 34. Any officer or employee of any bank who shall pay out of the funds thereof upon the check, order or draft of any individual, firm, corporation or association, which has not on deposit with such bank, a sum equal to such check, order or draft, shall be personally liable to such bank for the amount so paid, but any overdraft indebtedness thus created must be converted into a solvent note or actually paid within thirty days.

Overdrafts not permitted

SEC. 35. No bank official shall give preference to any depositor or creditor by pledging the assets of the bank as collateral security, or otherwise; *provided*, that any bank may borrow money for temporary purposes, not to exceed the amount of its paid-up capital, and may pledge any of its assets as collateral security therefor; *provided, further*, that when it shall appear that a bank is borrowing habitually for

No discrimination as to depositors or creditors

the purpose of conducting its business, the bank examiner may require such bank to pay off such borrowed money. Nothing herein shall prevent any bank from rediscounting in good faith and endorsing any of its negotiable notes.

Exception **Impaired capital stock to be made good within sixty days** **Proviso** SEC. 36. Whenever it shall appear that the capital stock of any bank, doing business under this act, has become impaired, the bank examiner shall notify such bank to make such impairment good within sixty days and it shall be the duty of the officers and directors of any bank receiving such notice from the bank examiner immediately to call a special meeting of the stockholders for the purpose of levying an assessment upon its stockholders, sufficient to cover the impairment of its capital stock; *provided*, that such bank, if not insolvent, may reduce its capital stock to the extent of such impairment, if such reduction will not place its capital below the amount required by this act; *and provided further*, that the bank shall have a prior lien upon the stock of each individual shareholder to the extent of such assessment and upon the failure of any such stockholder to pay the assessment authorized by this section within the time fixed by the bank examiner for making good said impairment, the lien may be foreclosed, and the stock of such delinquent stockholder sold, by giving public notice of the time and place of such sale, and of the stock to be sold, by advertisement for fifteen days in some newspaper of general circulation, published in the county where such bank is located.

National bank may incorporate as state bank, how SEC. 37. Any national bank doing business in this state may incorporate as a state bank as provided herein for the organization of banks; *provided*, that the bank examiner may accept good assets of such national bank, at their actual cash value, in lieu of cash payments for the stock of such state bank.

List of stockholders kept subject to public inspection **Said list sent to bank examiner** SEC. 38. The president and cashier of every incorporated bank shall cause to be kept at all times a full and correct list of the names and places of residence of its stockholders and the number of shares held by each, in the office where its business is transacted. Such list shall be subjected to the inspection of all the stockholders and creditors of the corporation, and the officers authorized to assess taxes under state authority, during the business hours of each day in which business may be legally transacted. A copy of such list on the first Monday in January of each year, verified by the oath of such president or cashier, shall be transmitted to the bank examiner and shall be filed in his office for the use of said bank examiner and the Nevada state banking board, but shall not be exhibited to any other person nor its contents made known to any other person while such bank is solvent.

Penalty for refusal to allow examination SEC. 39. Whenever any banker or officer of any bank shall refuse to submit the books, papers and effects of such bank to the inspection of the bank examiner or his deputies, or shall in any manner obstruct or interfere with them in the

discharge of their duties, or refuse to be examined on oath touching the affairs of the bank, the bank examiner may revoke the authority of such bank to transact a banking business, and proceed to wind up its affairs.

SEC. 40. Any banker or officer of any bank whose authority to transact a banking business has been revoked as herein provided who shall receive any deposit of whatsoever nature, after such revocation, shall be subject to the same penalty provided for persons transacting a banking business without authority.

Penalty for receipt of deposits after revocation of authority

SEC. 41. A bank may purchase, hold or convey real estate for the following purposes: First, such as shall be necessary for the convenient transaction of its business, including its furniture and fixtures, but which shall not exceed one-third of its capital and surplus; second, such as shall be conveyed to it in satisfaction of debts previously contracted in the course of its business; third, such as it shall purchase at sale under judgment, decree or mortgage foreclosure under securities held by it, but shall not bid at any such sale a larger amount than is necessary to satisfy its debts and costs. Real estate shall be conveyed by an individual banker as in other cases, or under the corporate seal of the bank, and the hand of either its president, vice-president or cashier approved by a resolution of its directors. No real estate acquired in the cases contemplated in the second and third subsections above, shall be held for a longer time than ten years. It must be sold at a private or public sale within thirty days thereafter.

Bank may hold real estate, when

Time of holding real estate in certain instances limited

SEC. 42. The shares of stock of any incorporated bank shall be deemed personal property, and shall be transferred on the books of the bank in such manner as the by-laws thereof may direct, but no transfer of stock shall be valid against a bank or creditor thereof, so long as the registered holder thereof shall be liable as a principal debtor, surety or otherwise, to the bank for any debt, and no stock shall be transferred on the books of any bank where the registered holder thereof is in debt to the bank for any matured or unpaid obligations.

Shares of stock deemed personal property

SEC. 43. It shall be unlawful for any bank to loan its funds to its stockholders upon their stock as collateral security: *provided*, that any bank may hold its stock to secure a debt previously contracted.

Bank's stock not security for its own loans

SEC. 44. For the purpose of carrying into effect the provisions of this act, the bank examiner shall provide a form for the necessary blanks for such examination and reports, and all reports received by him shall be preserved in his office; *provided*, the information thus secured shall not be given to any person while such bank is solvent, but shall only be used for the benefit of the bank examiner and the Nevada state banking board. All such reports and information shall be deemed and treated as confidential communications.

Forms for reports provided by bank examiner

SEC. 45. Every banker, officer or employee of a bank, or

False
swearing
punished as
perjury

banker required by this act to take an oath or affirmation, who shall wilfully swear or affirm falsely shall be deemed guilty of perjury, and upon conviction thereof shall be punished as provided by the laws of this state in cases of perjury.

Circulation
of false
reports
regarding
solvency of
bank a mis-
demeanor

SEC. 46. Any person circulating, knowing the same to be false, or instigating others to circulate either by word of mouth, writing or print, false, or derogatory stories concerning the credit or solvency of a banking institution shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not to exceed five hundred dollars or by imprisonment in the county jail not to exceed six months, or by both such fine and imprisonment.

License for
banking
must be
obtained

SEC. 47. No individual, bank, banking firm, trust company, corporation, company or other corporation, incorporated under the laws of this state, or of any other state or territory or foreign country, doing a banking business in this state, except banks doing business under the laws of the United States, shall engage in the banking business in this state without first obtaining from the bank examiner a license in the form presented by him, authorizing such individual, firm, corporation, company or trust company, to use the name and transact the business of a bank; said license to be regulated in proportion to their capitalization as follows: All those having a capitalization of \$25,000 or less shall pay the said bank examiner for such license the sum of \$100; all those having a capitalization of more than \$25,000 and up to and including \$100,000 shall pay a license of \$150; all those having a capitalization of more than \$100,000 up to and including \$200,000 shall pay a license of \$275; all those having a capital of more than \$200,000 and less than \$500,000 shall pay a license of \$400; all those having a capital of \$500,000 or more shall pay a license of \$500, and shall pay annually thereafter, beginning April 1st of each year, a license equal to the original license provided in this section. All moneys collected as herein provided shall be paid into the general fund of the state treasury, and the state treasurer is hereby required to issue his receipt therefor.

Classes of
license

False adver-
tising
regarding
capital stock
prohibited

SEC. 48. No bank, trust company, banker, officer of any bank, or trust company, or corporation doing a banking business, shall advertise in any manner or publish any statement of the capital stock authorized or subscribed, unless the amount of capital stock actually paid up shall be advertised or published therewith.

Composition
of state
banking
board

SEC. 49. The Nevada state banking board is continued and shall consist of the governor, who shall be ex officio chairman of the board, and of four other members who shall be appointed by the governor and none of whom shall be a stockholder or employee in any bank in the state; they shall hold office for the term of two years, unless sooner removed by the governor, and shall qualify by taking and subscribing to the constitutional oath of office, which shall be filed in the office

of the secretary of state. Said board shall meet at the capital at least four times each year and at such other times as the governor, the examiner, or any two members of the board shall request. The members so appointed shall receive ten dollars per day for their services while engaged in the performance of their duties and shall be entitled also to their traveling and other necessary expenses incurred in the performance of their duties. Said board shall have, in connection with the examiner, supervision and control of banks and banking in this state, and no persons, firms, associations or corporations shall be permitted to engage in the banking business in this state save in compliance with this act.

Meetings of board

Compensation of members

SEC. 50. The governor shall appoint a bank examiner who shall be a person who has had practical banking experience; he shall receive a salary of five thousand dollars per year payable in equal monthly installments out of the general fund of the state; he may be removed from office at any time by a majority vote of the whole banking board. During his term of office the examiner shall not be permitted to examine the affairs of any bank in which he has an interest nor of which he is or within one year next preceding his appointment was an officer or employee. Until further action by the banking board the present bank examiner shall be continued in office with all the powers and duties thereby conferred and imposed. The examiner shall have the power to appoint and remove such deputy bank examiners as may be necessary to aid the examiner in carrying out the provisions of this act; the examiner shall fix the salaries of such deputies at the rate of not more than two thousand dollars per year for each deputy, payable in monthly installments out of the general fund of the state. Such deputy or deputies shall perform such duties as the examiner shall direct. The bank examiner shall occupy the offices of the state banking board and shall act as secretary of the board. The seal of the state banking board shall be as heretofore prescribed and all licenses and orders issued by the board and by its authority shall be attested by the seal of the state banking board, and by the signature of the bank examiner.

Appointment of bank examiner: salary

Deputy bank examiners

Seal

SEC. 51. In addition to the other powers conferred upon him by this act, the bank examiner above provided for shall be charged with the enforcement of the provisions of this act, and of the rules and regulations adopted by the board, and shall during the intervals between the meetings of the board, have the powers of the board, including the power to make rules and regulations for the government of banks doing business under the terms of this act; such rules and regulations to remain in force, however, only until the next meeting of the board, and unless approved by the board at such meeting, said rules shall then cease to be of any force and effect. Such bank examiner shall perform such duties, in addition to those imposed by this act, as he may be ordered to perform

Powers and duties of bank examiner

by the board, and shall be subject to the authority and control of the board.

Clearing-
houses, how
established
and
conducted

SEC. 52. Wherever, in any town, whether incorporated or unincorporated, or in any city of this state, there are two or more banks, bankers or trust companies, they may unite into an association or clearing-house and adopt rules and regulations for the government of the banks belonging to such association or clearing-house; and all the banks of the state, or of any district of the state, may unite in a state or clearing-house association, or a district association or district clearing-house association, and any of such associations or clearing-house associations may make rules and regulations governing the members thereof, which said rules and regulations, when approved by the Nevada state banking board, shall be binding upon all the members of such associations or clearing-house associations, and have the full force and effect of rules adopted by the said Nevada state banking board.

Bank
examiner
may take
charge of
bank, when

SEC. 53. Whenever it shall appear to the examiner that any bank to which this act is applicable has violated its charter or any law of the state, or is conducting its business in an unsafe or unauthorized manner, or its capital is impaired, or it shall refuse to make the reports herein provided for, or refuse to permit its affairs to be examined by the examiner or his deputies or agents, or shall refuse to comply with any lawful requests or orders of the examiner or the state banking board; or shall suspend payment of its obligations; or if from any examination or report provided for in this act, the examiner shall have reason to conclude that such bank is in an unsafe or unsound condition to transact the business of banking, or that it is unsafe and inexpedient for such bank to continue in business, the examiner may forthwith take possession of the property and business of such bank and retain such possession until such bank shall resume business or its affairs be finally liquidated as herein provided. No bank, corporation, firm or individual knowing of such taking possession by the examiner, shall have a lien or charge for any payment, advance or clearance thereafter made, or liability thereafter incurred against any of the assets of the bank of whose property and business the examiner shall have taken possession as aforesaid. Such bank may, with the consent of the state banking board, resume business upon such conditions as may be approved by them.

Bank may
resume, when

Duties of
examiner in
regard to
liquidation

SEC. 54. Upon taking possession of the property and business of such bank, the examiner is authorized to collect moneys due to such bank and do such other acts as are necessary to conserve its assets and business, and shall proceed to liquidate the affairs thereof as hereinafter provided. The examiner shall collect all debts and claims and enforce all liabilities and rights of action accrued to or belonging to such bank, and may institute and prosecute all proper and necessary

actions for that purpose, and may sell or compound all bad or doubtful debts, and upon the order of the district court for the county where the bank carried on business, may sell all the real and personal property of such bank on such terms as the court shall direct; and may, if necessary to pay the debts of such bank, if a corporation, enforce the individual liability of its stockholders. The examiner may employ such clerks and assistants and incur such expenses for rent, office supplies and other proper and reasonable expenses as may be necessary in the preservation and liquidation of the business of such bank, and in special and important cases may employ an attorney, or attorneys at law, as special counsel to assist in the conduct of any particular case, whose compensation shall be fixed by the state banking board at such reasonable and proper sum as may be determined upon by them, for the services rendered. In ordinary cases, and for the usual advice and assistance that the examiner may require in all legal matters, such services shall be rendered by the district attorney of the county where said banking business was carried on, and also upon request of the examiner, by the attorney-general, without additional compensation, except that the state banking board may, in their discretion, allow the district attorney such sum as may be adjudged reasonable by them, not exceeding, however, fifty (\$50) dollars per month, during the period of the rendition of said services.

Assistance
may be
employed

Regarding
legal advice

SEC. 55. The examiner shall require from the clerks and assistants, including a deputy examiner, if any, employed in the settling up of the affairs of any bank, in accordance with this section, such security for the faithful performance of their duties as he may deem proper.

Assistants to
give bonds

SEC. 56. The examiner shall cause notice to be given by advertisement, in one or more newspapers, published in the place where said banking business was carried on, weekly, for two successive months, calling on all persons who may have claims against such bank, to present the same to the examiner, and make legal proof thereof, at a place and within a time not earlier than the last date of publication, to be therein specified. The examiner shall mail a similar notice to all persons whose names appear as creditors, upon the books of such bank. If the examiner doubts the justice and validity of any claim, he may reject the same, and serve notice of such rejection, upon the claimant, either by mail or personally. An affidavit of service of such notice shall be *prima facie* evidence thereof, and shall be filed in his office. An action upon a claim so rejected, must be brought within three months after such service, and a judgment for such claim shall have the effect only of placing the claim on the same basis as an approved claim, and shall create no lien or preference on the property or assets in the examiner's hands, nor shall any execution be issued in such judgment. Claims presented after the expiration of the time fixed in the notice to creditors, shall

Notice to
creditors of
closed bank
to be adver-
tised and
mailed

be entitled to share in the distribution only to the extent of the assets in the hands of the examiner, equitably applicable thereto. After the posting of the notice provided for in section 24 of this act, or the taking possession of any bank by the examiner, no attachment, execution or other writ shall be levied upon the property or assets of such bank until such possession shall have been surrendered by the examiner in accordance with the provisions of this act.

Inventory of closed bank made and filed with board SEC. 57. Upon taking possession of the property and assets of such bank, the examiner shall make an inventory of the assets thereof, in duplicate; one to be filed in the office of the state banking board at the capitol, and one to be kept at the place where said banking business was carried on, and upon the expiration of the time fixed for the presentation of claims, the examiner shall make in duplicate a complete list of the claims presented, including and specifying such claims as have been rejected by him; one to be filed in the office of the state banking board at the capitol, and one to be retained and kept at the place where said banking business was carried on, which inventory and list of claims shall be open at all reasonable times to inspection.

Expenses to be paid from funds of closed bank SEC. 58. The compensation of all special counsel, employees, assistants, and the extra compensation allowed to the district attorney, if any, and all expenses of supervision and liquidation, except the salaries of the examiner and deputy examiner, if any, shall be paid by the examiner out of the funds of such bank in his hands. The moneys collected and realized by the examiner shall be from time to time deposited in one or more banks of deposit, organized under the laws of this state, and designated by the state banking board, which bank or banks shall give bonds to secure the payment of such deposits on demand. Such bonds shall be subject to the approval of the examiner.

Collections to be deposited in solvent banks SEC. 59. At any time after the expiration of the date fixed for the presentation of claims, the examiner may, out of the funds remaining in his hands, after the payment of expenses, declare one or more dividends, and after the expiration of one year from the first publication of notice to creditors, he may declare a final dividend; such dividends to be paid to such persons and in such amounts as may be found to be correct.

Dividends of closed bank, how paid SEC. 60. Whenever any banker, or banking corporation, or association, of whose property and business the examiner has taken possession, or of which he threatens to take possession, as aforesaid, feels aggrieved thereby, it may, after suit filed, at any time not later than ten days after such taking possession, apply to the district court in the judicial district in which the bank is located, to enjoin further proceedings; and the court, after citing the examiner to show cause why further proceedings should not be enjoined, and hearing the

Redress of officers of closed bank

allegations and proofs of the parties, and determining the facts, may, upon the merits, dismiss such application, or enjoin the examiner from further proceedings, and direct him to surrender such business and property to such banker, or banking corporation, firm or association. Such suits shall be brought to trial at the earliest time practicable, and shall be entitled to preference over other civil cases.

SEC. 61. Whenever the examiner shall have paid to each and every depositor and creditor of said bank, whose claim or claims shall have been duly proved and allowed, the full amount of such claims, and shall have made proper provision for unclaimed and unpaid deposits or dividends, and shall have paid all the expenses of the liquidation, the examiner shall pay over the surplus remaining in his hands, to the individual, firm, corporation, or association entitled to receive the same.

Closing up of liquidation, how accomplished

SEC. 62. The examiner shall report to the state banking board, semiannually, the names and locations of banks, so taken possession of and liquidated, and the sums of unclaimed and unpaid deposits or dividends, with respect to each of them, respectively, and such dividends and unclaimed deposits remaining unpaid, in the hands of the examiner, for six months after the final distribution, shall be by him deposited in one or more banks, complying with the provisions of this act, to the credit of the state banking board, in trust for the several depositors and creditors of the liquidated bank from which they were received, and the said state banking board shall pay over the money so held to the persons respectively entitled thereto, upon being furnished satisfactory evidence of their right to the same.

Examiner to report semi-annually on closed banks

SEC. 63. Whenever any bank shall voluntarily place itself in the hands of the bank examiner, the said bank examiner shall immediately take possession of such bank and of its assets and he shall proceed to administer and liquidate its property and assets as herein provided in case of an involuntary taking possession by the examiner.

Voluntary liquidation, proceedings under

SEC. 64. After the bank examiner shall have taken possession of any bank which is subject to the provisions of this act, the owner, in case it is an unincorporated bank, or if a corporation, its stockholders, may repair its credit, restore or substitute its reserves or otherwise place it in a condition so that it is qualified to do a general banking business as before it was taken possession of by the bank examiner, but such bank shall not be permitted to reopen its business until the bank examiner after a careful investigation of its affairs, is of the opinion that the law has been complied with and that its credits and funds are in all respects repaired, and its reserves restored or sufficiently substituted, and that it should be permitted to again reopen for business. Whereupon, the examiner is authorized to issue written permission for the

How bank may be restored and resume business

reopening of said bank, in the same manner as herein otherwise provided. Thereupon said bank may be reopened to do a general banking business.

Bond of bank
examiner,
\$100,000

SEC. 65. The bank examiner shall, before entering upon the discharge of his duties, take and subscribe the usual oath of office and execute to the State of Nevada a bond in the sum of \$100,000, with sufficient surety for the performance of his duty, to be approved by and filed with the Nevada state banking board.

Bond of
deputies,
\$50,000

SEC. 66. The deputy bank examiners, if any, shall before entering upon the discharge of their duties, take and subscribe the same oath of office as their principal, and execute to the State of Nevada a bond in the sum of \$50,000 with sufficient surety for the faithful performance of their duty, to be approved by and filed with the Nevada state banking board.

Every bank
examined
twice each
year

SEC. 67. It shall be the duty of the bank examiner or one of his deputies to visit each and every bank subject to the provisions of this act, at least twice each year, and oftener, if he deem it advisable, for the purpose of making a full and careful examination and inquiry into the condition of such bank, and for that purpose the bank examiner and his deputies are hereby authorized and empowered to administer oaths, and to examine under oath, the owners, stockholders and directors and all officers and employees and agents of such banks or other persons. The result thereof may be reduced to writing, which shall contain a true statement of the condition of such bank.

Expenses of
bank
examiner
and deputies

SEC. 68. The bank examiner and deputy bank examiners shall be allowed all necessary traveling expenses, when away from the capital on official business, subject to the approval of the Nevada state banking board, all such traveling expenses to be paid out of the general fund of the state.

Salaries paid
from state
funds

SEC. 69. The salaries of the said bank examiner, his deputies and the members of the Nevada state banking board, and the traveling expenses and hotel expenses of each, shall be paid by the state treasurer upon warrants drawn by the state controller, when the same shall have been approved by the board of examiners of this state, out of the general fund of the state treasury, in the same manner as other state officers are paid.

Penalties for
misconduct
of banking
board, bank
examiner
and deputies

SEC. 70. The Nevada state banking board or any member thereof, or any bank examiner or deputy bank examiner, who shall neglect to perform any duty provided by this act, or who shall make any false statement or any statement, except in the exercise of his duty concerning any bank, or who shall be guilty of misconduct or corruption in office, shall, upon conviction thereof, be deemed guilty of felony and punished by a fine not exceeding one thousand dollars or imprisonment in the state prison not exceeding five years, and in addition thereto shall be removed from office.

SEC. 71. It shall be the duty of the bank examiner to inform the district attorney of the county in which the bank is located, of any violation of any of the provisions of this act, which constitutes a misdemeanor or felony, by the officers, owners, or employees of any bank, and upon receipt of such information the district attorney shall institute proceedings to enforce the provisions of this act.

District attorneys to act when notified of violation of this act

SEC. 72. The powers, privileges, duties and restrictions conferred and imposed upon any corporation or individual, existing and doing business under the laws of this state are hereby abridged, enlarged or modified as each particular case may require, to conform to the provisions of this act, notwithstanding anything to the contrary in their respective articles of incorporation or charters. The legality of investments heretofore made, or of transactions heretofore had, pursuant to any provisions of law in force when such investments were made or transactions had, shall not be affected by the provisions of this act, except as the same can be done gradually by the sale or redemption of the securities so invested in, in such manner as to prevent loss or embarrassment in the business of such corporation or individual, or unnecessary loss or injury to the borrowers on such security; *provided*, all investments, transactions, loans, and requirements shall be made to conform to the provisions of this act, within the period of eighteen months from the time of the enactment thereof.

Charters of banks made to conform to this act

Legality of investments not affected

Future transactions must conform

SEC. 73. Each section of this act, and every part of each section is hereby declared to be independent of every other section and part of section, and the holding of a section or part of section to be void or ineffectual for any cause shall not be deemed to affect any other section or part of section.

Each section of this act declared independent

SEC. 74. Where no other punishment is provided herein, any person violating any of the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than one hundred dollars(\$100), or more than five hundred dollars(\$500), or by imprisonment in the county jail for not less than thirty days, or both, in the discretion of the court.

General penalty prescribed

SEC. 75. The words "corporation," "banking corporation," "bank," "trust company," or "banker," as used in this act, shall refer to and include banks, savings banks, and trust companies, individuals, firms, associations and corporations of any character conducting the business of receiving money on deposit or otherwise carrying on a banking or trust company business, except as herein specially provided.

Terms and words used defined

SEC. 76. All provisions of an act entitled "An act providing a general incorporation law," approved March 13, 1903, as amended, not in conflict with this act are hereby adopted as a part of this act.

Previous banking act ratified

SEC. 77. All acts and parts of acts in conflict with the provisions of this act are hereby repealed, but such repeal shall

Repeal of conflicting acts

not affect any civil actions or rights of action nor the prosecution of any person or persons for any offenses which may now exist or which have been heretofore committed under existing laws.

Appropriation
 SEC. 78. For the purpose of carrying this act into effect and paying the salaries and expenses herein provided for, and incident hereto, the sum of twenty thousand dollars (\$20,000) is hereby appropriated out of the state treasury.

Bank examiner to immediately take charge of all banks in hands of receivers
 SEC. 79. Within ten days after the approval of this act, the bank examiner shall take possession of all banks and their property and accounts of whatsoever kind and nature which may now be in the custody or possession or control of any receiver or receivers heretofore appointed under the laws of this state; and said bank examiner shall thereupon proceed to administer, liquidate and settle the same as in this act provided, in so far as is necessary to complete the settlement and liquidation of the assets, business and affairs of such banks. And it is hereby made the duty of all such receivers, their agents, employees and representatives to turn over and deliver to said bank examiner, or deputy examiner appointed by him, all real and personal property, accounts, moneys, evidences of indebtedness and securities therefor, books and things of every description belonging to such bank or banks, or relating to their business, together with the possession and custody thereof; *provided*, that the bank examiner shall permit any such receiver to inspect such books, papers and other memoranda, or the property and things so turned over and delivered to said bank examiner, for the purpose of preparing his final accounts; and it is hereby made the duty of all receivers of banks now holding office under appointment by any court in this state, within sixty days after the approval of this act, to file with the clerks of the respective courts from which the respective appointments of said receivers issued, a full and complete statement and accounting of all their acts, receipts and disbursements, with proper vouchers, of their respective receiverships, and receive their discharges from such courts when such final accounts are duly accepted and approved by said courts. And such receivers shall also deliver to the bank examiner a true and correct copy of said statement and accounting so made to the court, together with a full and complete statement of all debtors and creditors of such respective banks and receiverships, with the amount due from or to each of such debtors or creditors, and the terms and conditions of such indebtedness; *provided, also*, that no suit, action or proceeding which may have been begun by such receiver or receivers, or in which he or they is or are a party or parties, and no right of action which may have accrued to him or them, shall be avoided or rendered ineffectual by anything herein contained, or done pursuant hereto; but such suits, actions, proceedings and rights of action may be carried on and continued and shall inure to such bank examiner for

Receiver may inspect books of such banks

Receivers to make complete report to bank examiner

Actions at law not affected by these provisions

the use and benefit of such respective trusts, as fully and effectually as if such receiver or receivers had continued as such; and the bank examiner shall not dismiss any such action, suit or other proceeding except on the order and approval of the state banking board. And the said bank examiner shall be substituted for any such receiver or receivers in any such action or proceeding now pending in which any such receiver or receivers is or are a party or parties. All attorneys, agents, clerks and assistants now in the employ or acting for and in behalf of any such receiver or receivers shall continue to act in the same capacity, and on the same terms and conditions, until such time as the bank examiner and state banking board shall otherwise provide. All contracts and agreements heretofore entered into by any such receiver duly authorized by the courts by which such receiver was appointed, shall be equally binding on said bank examiner for the use and benefit of such trust, and the bank examiner shall be deemed to be substituted for such receiver in all such contracts and agreements. For the purpose of carrying out the provisions of this section, and subject to the approval of the state banking board, the bank examiner shall appoint such special deputies, clerks, assistants and attorneys as shall be deemed necessary, and fix their compensation, same to be paid out of the funds and assets of the said respective trusts for the settlement and liquidation of which such special deputies, clerks, assistants and attorneys are appointed or employed.

Bank examiner substituted for receiver in legal actions

Contracts now existing binding

Special deputies when necessary

CHAP. 151—*An act to make criminal the selling, giving, or in any manner disposing of, or the causing to be sold, giving or disposed of spirituous, malt, or intoxicating wines or liquors to habitual or common drunkards or dipsomaniacs who are members of families and who are, when drunk, menaces to the life, health or peace of their families or who when lawfully bound to do so, fail to provide for their families the common necessities of life.*

[Approved March 22, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. It shall be the duty of every saloon-keeper or retail liquor dealer, when requested to do so by the sheriff or other peace officer of the county, or by the parent, wife, child, brother, sister or guardian of an habitual or common drunkard or dipsomaniac who is a member of a family, and a menace, when drunk, or intoxicated, to the life, health or peace of his family, or who when lawfully bound to do so fails to provide for his family the common necessities of life, to place or post

Selling of liquor to certain persons prohibited

the name of such habitual or common drunkard or dipsomaniac in an appropriate place on a bulletin-board upon which shall be conspicuously placed or posted the words "Drunkards or Dipsomaniacs to Whom Intoxicants Are Forbidden," which said bulletin-board shall be conveniently placed back of the bar in the barroom or establishment of such saloon-keeper or retail liquor dealer in such a manner that it can be readily seen by bartenders back of the bar, but not by patrons of the bar.

Liquor dealers when notified prohibited from serving liquor to certain persons

SEC. 2. It shall be unlawful for any saloon-keeper or retail liquor dealer, or for his bartender, employee or other agent, upon being informed by the sheriff or any peace officer of the county, or by the parent, wife, child, brother, sister or guardian of an habitual or common drunkard or dipsomaniac who is a member of a family, and a menace, when drunk or intoxicated, to the life, health or peace of his family or who when lawfully bound to do so, fails to provide for his family the common necessities of life, that such are the facts, or upon the name of such drunkard or dipsomaniac being posted as in section one provided, to sell, give or in any way dispose of, or to cause to be sold, disposed of or given to, such drunkard or dipsomaniac, any spirituous, malt or intoxicating wines or liquors.

Penalties

SEC. 3. Any person violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty (\$50) dollars or more than five hundred (\$500) dollars, or by imprisonment in the county jail for not longer than six months, or by both such fine and imprisonment.

CHAP. 152—*An act prohibiting certain persons from remaining in saloons, and fixing penalties for the violation thereof.*

[Approved March 22, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Minor barred from places where liquor is sold

SECTION 1. Any proprietor, keeper or manager of a saloon, or resort where spirituous, malt, or fermented liquors or wines are sold, who shall, knowingly, allow or permit any person under the age of twenty-one years to remain therein, is guilty of a misdemeanor, and shall be punished by a fine of not less than \$25 nor more than \$100.

CHAP. 153—*An act to facilitate the execution of deeds and conveyances of property of persons who are bound by bond or contract to convey real estate or transfer personal property, but who die before making the conveyance or transfer, authorizing the district court having jurisdiction over the estate to decree that the executor or administrator complete the execution of the contract.*

[Approved March 22, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. If any deceased person was, at the time of his death, a party to a bond or contract in writing for a deed for a sale and conveyance of real estate, or personal property, his interest in said property may be conveyed by his executor or administrator, upon full compliance of the terms and conditions of such bond or contract by the other parties thereto, and a deed of conveyance so made shall transfer the same title as though made by such deceased if alive. Such conveyance shall be made upon report to the district court of the county in which the estate of such deceased person is being administered, showing that all the terms and conditions of said bond or contract have been met, and if satisfied therewith, said district court shall thereupon make an order authorizing and directing the execution of requisite deed or transfer to the proper parties.

Executors may complete contract of decedent in conveying property

SEC. 2. This act shall affect estates of deceased persons now being probated.

Present cases included

CHAP. 154—*An act to prohibit the use of deception, misrepresentation, false advertising or false pretenses in the procuring of employes to work in any department of labor in the State of Nevada, and fixing penalties, criminal and civil, for the violation thereof.*

[Approved March 22, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. It shall be unlawful for any person, persons, company, corporation, society, association or organization of any kind doing business in this state, by himself, itself, themselves, his, its, or their agents, or attorneys to induce, influence, persuade or engage workmen to change from one place to another in this state, or to bring workmen of any class or calling into this state to work in any of the departments of labor in this state, through means of false or deceptive representations, false advertising or false pretenses concerning the kind and character of the work to be done, or amount and character of the compensation to be paid for such work, or the

Unlawful for employers to misrepresent labor conditions

sanitary or other conditions of their employment, or as to the existence or nonexistence of a strike, or other trouble pending between employer and employees at the time of or prior to such engagement, proposal or contract for such employment of workmen.

Penalties

SEC. 2. Any person, persons, company, corporation, society, association or organization of any kind doing business in this state, as well as his, their, or its agents, attorneys, servants or associates found guilty of violating section one (1) of this act, or any part thereof, shall be fined in a sum not less than two hundred dollars (\$200), nor more than two thousand dollars (\$2,000), or confined in the county jail for a period of not less than sixty days nor more than one year, or when the defendant or defendants is or are a natural person or persons, by both such fine and imprisonment.

Right of
action
defined

SEC. 3. Any workman of this state or any workman of another state who has been or shall be influenced, induced or persuaded to engage with any person mentioned in section one (1) of this act, or any company, corporation, society or organization mentioned in section one (1) of this act, through or by means of any of the things therein prohibited, after this act becomes in force and effect, and each of such workmen shall have a cause of action for recovery and may recover at law, for all damages that each of such workmen shall have sustained in consequence of the false or deceptive representations, false advertising or false pretenses, used to induce him to change his place of employment, or place of abode in case such workman shall not be then employed at the time of such inducement and hiring, against any person or persons, corporations, companies or associations, directly or indirectly causing such damages; and in any action under this act, for the recovery of such damages, the court shall have the power to award a reasonable attorney's fee in favor of the prevailing party and to be taxed as costs against the losing party therein.

Repeal

SEC. 4. All acts and parts of acts in conflict herewith are hereby repealed.

In effect

SEC. 5. This act shall take effect and be in force from and after its passage and approval.

CHAP. 155—*An act supplementary to an act entitled "An act to regulate the settlement of the estates of deceased persons," approved March 23, 1897.*

[Approved March 22, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. In all cases in the settlement of the estates of deceased persons, the court or judge may, on a petition setting

forth facts showing the advisability, and upon notice the same as on petition for the sale of real property, and on sufficient proof, make an order authorizing the mortgaging of real or personal property belonging to the estate, by the executor or administrator.

Property of
estate may be
mortgaged,
when and
how

CHAP. 156—*An act to amend section four of an act relating to marriage and divorce, approved November 28, 1861.*

[Approved March 22, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section four of said act is hereby amended to read as follows:

Section 4. It shall be lawful for any ordained minister of any religious society or congregation within this state, who has or hereafter may obtain a license for that purpose, as hereinafter provided, or for any justice of the supreme court, or for any judge of the district court in his district, or justice of the peace in his county, to join together as husband and wife all persons not prohibited by this act; *provided*, that the persons herein authorized to perform said marriage ceremony shall first receive the license previously issued, as hereinafter provided, to the persons wishing to be married. Any minister of the gospel, upon producing to the district court of any county, or district within this state, credentials of his being a regularly ordained minister of any religious society or congregation, shall be entitled to receive from said court a license authorizing him to solemnize marriages within this state so long as he shall continue a regular minister in such society or congregation. It shall be the duty of any minister licensed to solemnize marriages as aforesaid to produce to the county clerk in every county in which he shall solemnize any marriage, his license so obtained, and the said clerk shall thereupon enter the name of such minister upon record as a minister of the gospel duly authorized to solemnize marriages within this state, and shall note the court from which such license issued, for which service no charge shall be made by such clerk. The record so made, or the certificate thereof by the said clerk under the seal of his office, shall be good evidence that said minister was duly authorized to solemnize marriages.

What
ministers
may perform
marriage rite

License must
be procured

Must be reg-
ular minister

Must exhibit
license to
county clerk

CHAP. 157—*An act to amend section one of an act entitled "An act to provide for the payment of attorneys in certain cases," approved March 5, 1875.*

[Approved March 22, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of said act is hereby amended so as to read as follows:

Attorneys for indigent defendants to be paid by county

Section 1. An attorney appointed by a court to defend a person indicted for any offense is entitled to receive from the county treasury the following fees: For a case of murder, one hundred dollars; for a felony or misdemeanor, such fee as the court may fix, not to exceed fifty dollars. Such compensation shall be paid by the county treasurer out of any moneys in the treasury, not otherwise appropriated, upon the certificate of the judge of the court that such attorney has performed the services required.

CHAP. 158—*An act defining what shall constitute legal residence in the State of Nevada.*

[Approved March 22, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Legal residence defined

Proviso

SECTION 1. The legal residence of a person with reference to his or her right of suffrage, eligibility to office, right of naturalization, right to maintain or defend any suit at law or in equity, or any other right dependent on residence, is that place where he or she shall have been actually, physically and corporeally present within the state or county, as the case may be, during all of the period for which residence is claimed by him or her; *provided, however*, should any person absent himself from the jurisdiction of his residence with the intention in good faith to return without delay and continue his residence, the time of such absence shall not be considered in determining the fact of such residence.

CHAP. 159—*An act restricting the sale, barter, exchange or other disposal of liquors and providing penalties for the violation of the same, and repealing certain conflicting acts.*

[Approved March 22, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. It shall be unlawful to grant a license to any person, firm or corporation to sell, barter, exchange or other-

wise to dispose of any malt, spirituous, vinous or other intoxicating liquors within five miles of any camp or assemblage of men engaged in the construction or reconstruction of any railway or government construction or reconstruction works where twenty-five or more men are employed.

Liquor selling restricted near construction camps

SEC. 2. Any person who shall sell, barter or exchange or offer for sale, barter or exchange, or shall otherwise dispose or offer to dispose of any malt, spirituous, vinous or other intoxicating liquors within five miles of any camp or assemblage where twenty-five or more men are engaged in the construction or reconstruction of any railway or government construction or reconstruction works shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars for each offense or by imprisonment in the county jail for not less than thirty days nor more than six months or by both such fine and imprisonment, and any attempt to avoid the provisions of this act by giving or disposing of any such liquors to any person or persons on the pretense or for the reason that such person or persons has or have purchased or designs or design or is or are expecting to purchase some other article, shall be deemed a sale within the provisions of this act; *provided*, that nothing in this act shall apply to the sale of liquors made under a license issued by any incorporated town or city nor to sales at a saloon, store or hotel at which such liquors are sold or otherwise disposed of outside of the corporate limits of towns and cities where such saloon, store or hotel has been established in a substantial building of permanent character and has been licensed for at least six months immediately prior to the beginning of such construction work within the said five-mile limit.

Penalties

Proviso as to regularly established businesses

SEC. 3. It shall be the duty of the board of county commissioners of the several counties to forthwith revoke all and any such license for the sale of such liquors within their respective counties within such five-mile limit, excepting those licenses issued by any incorporated town or city and licenses issued at least six months immediately prior to the commencement of such construction or reconstruction work. Upon the revocation of any such license as under the provisions of this act, the said county commissioners shall provide for the payment to the licensee of a sum of money which shall bear the proportion to the whole amount paid for such license that the unexpired portion of the term for which the license was issued bears to the whole term.

Duties of county commissioners

Residue of license money returned

SEC. 4. An act restricting the sale of liquors and providing penalties for the violation of the same, approved March 19, 1907, is hereby repealed.

Repeal of previous act

CHAP. 160—*An act to amend section five, as the same has heretofore been amended, of an act entitled "An act to secure liens to mechanics and others and to repeal all other acts in relation thereto," approved March 2, 1875.*

[Approved March 22, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section five, as the same has been heretofore amended, of an act entitled "An act to secure liens to mechanics and others and to repeal all other acts in relation thereto," approved March 2, 1875, is hereby amended to read as follows:

Regarding
mechanics'
liens

Section 5. It shall be the duty of the owner of any building, improvement, or structure, mentioned in section one of this act, upon or after the completion thereof, or of any alteration or repair thereof, to file or cause to be filed with the county recorder of the county where the same or some part thereof is situated, an affidavit, under the oath of himself or of some other person conversant with the facts, stating that such building, improvement or structure, or the alteration or repair thereof, as the case may be, has been completed, giving the date of such completion, and a description of the same sufficient for identification. If any such affidavit be filed before the building, improvement or structure, or the alteration or repair thereof, as the case may be, has in fact been completed, such filing shall be void and a mere nullity, and the time within which any claim of lien as hereinafter provided shall be filed, shall not commence to run until after such building, improvement or structure, or the alteration or repair thereof, as the case may be, has in fact been completed, and a valid and legal affidavit thereafter been filed. Every person claiming the benefit of this chapter shall, not earlier than ten days after the completion of his contract, or the delivery of material by him, or the performance of his labor, as the case may be, and not later than fifty days after filing of the owner or other person as aforesaid of the affidavit hereinbefore provided for, or within fifty days after the performance of any labor in a mining claim, file for record with the county recorder of the county where the property or some part thereof is situate, a claim containing a statement of his demand after deducting all just credits and offsets, with the name of the owner or reputed owner if known, also the name of the person by whom he was employed or to whom he furnished the material, with a statement of the terms, time given, and conditions of his contract, and also a description of the property to be charged with the lien sufficient for identification, which claim must be verified by the oath of himself or some other person.

Lien must be
filed within
certain time

Variance not
to defeat lien

Upon the trial of any action or suit to foreclose such lien no variance between the lien and the proof shall defeat the lien or be deemed material unless the same shall result from fraud

or be made intentionally, or shall have misled the adverse party to his prejudice, but in all cases of immaterial variance the claim of lien may be amended, by amendment duly recorded, to conform to the proof. No error or mistake in the name of the owner or reputed owner contained in any claim of lien shall be held to defeat the lien, unless a correction of the lien in this particular shall prejudice the rights of an innocent, bona fide purchaser or encumbrancer for value. But upon the trial, if it shall appear that an error or mistake has been made in the name of the owner or reputed owner, or that the wrong person has been named as owner or reputed owner, in any such claim of lien, the court shall order an amended claim of lien to be recorded with the recorder where the original claim was recorded, and shall issue to the person who is so made to appear to be the original or reputed owner, a notice directing such person or persons to be and appear, within the same time as is provided by law for the appearance in other actions after the service of summons, and said notice shall be served in all respects as a summons is required to be served, before said court and to show cause why he should not be substituted in said claim of lien and in said suit in lieu of the person so made defendant and alleged to be owner or reputed owner by mistake, and to further show why he should not be bound by the judgment or decree of the court. And such proceedings shall be had therein as though the party so cited to appear had been an original party defendant in the action or suit, and originally named in the claim of lien as owner or reputed owner, and the rights of all parties shall thereupon be fully adjudicated.

Error as to
correct name
not to defeat
lien

Substitution,
how made

CHAP. 161—*An act making it lawful for the district judge for each judicial district of this state, to sign any and all minutes and records of the district court for which he is incumbent, left unsigned by his predecessor in office, or by any district judge previously sitting in the district or county, and making such minutes and records when thus signed of the same force and effect, as if they had been signed by such predecessor or such district judge previously sitting.*

[Approved March 22, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. At any time after the passage and approval of this act, it shall be lawful for the district judge of each judicial district of this state, during his continuance in office, to sign any and all minutes and records of the court of the district for which he is incumbent, in whatsoever district or county the same may be, left unsigned by his predecessor in office or by

District
judge may
sign papers,
etc. left
unsigned by
predecessor

District
judge to sign
papers

any district judge previously sitting in the said district or county, and such minutes and records, when thus signed, shall have the same force and effect, to which they would have been entitled, had they been signed by such predecessor in office, or by such district judge previously sitting in the said district or the said county.

CHAP. 162—*An act making the railroad commission of Nevada ex officio a public service commission for the regulation and control of certain public utilities, prescribing the manner in which such public utilities shall be regulated and controlled, requiring such public utilities to furnish reasonably adequate service and facilities, prohibiting unjust and unreasonable charges for services rendered by such public utilities, providing penalties for violation of the provisions of this act, authorizing such public service commission to appoint an expert engineer and to employ clerks and assistants, and making an appropriation for carrying out the provisions of this act.*

[Approved March 23, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Public
service com-
mission
created

SECTION 1. A public service commission is hereby created, whose duty it shall be to supervise and regulate the operations of the public utilities hereinafter named, such supervision and regulation to be in conformity with the provisions of this act.

Railroad
commission
to be public
service
commission

SEC. 2. The railroad commission of Nevada shall be, ex officio, the public service commission hereby created, and for the purposes of this act it shall be known as and styled "Public Service Commission of Nevada." It shall provide itself with a seal bearing these words, by which its official acts shall be authenticated in all cases where a seal is required; and in the name, as above set forth, it may sue and be sued in the courts of the state and of the United States. The secretary of the railroad commission of Nevada shall act as secretary of the commission hereby created, but the business of the public service commission shall be kept entirely separate from that of the railroad commission.

Term "public
utility"
defined

SEC. 3. The term "public utility" within the meaning of this act shall embrace every corporation, company, individual, association of individuals, their lessees, trustees or receivers appointed by any court whatsoever, that now or hereafter may own, operate or control any plant or equipment, or any part of a plant or equipment within the state for the production, delivery or furnishing for or to other persons, firms, associations, or corporations, private or municipal, heat, light, power in any form or by any agency, water for business, manufacturing, agricultural or household use, or sewerage service whether

within the limits of municipalities, towns or villages, or elsewhere; and the public service commission is hereby invested with full power of supervision, regulation and control of all such utilities, subject to the provisions of this act and to the exclusion of the jurisdiction, regulation and control of such utilities by any municipality, town or village.

SEC. 4. In addition to the modes of procedure hereinafter prescribed in particular cases and classes of cases, said commission shall have power to prescribe rules of procedure, and to do all things necessary and convenient in the exercise of the powers by this act conferred upon the commission; *provided*, that nothing in this act shall be construed as vesting judicial powers in said commission, or as denying to any person, firm, association, corporation, municipality, county, town or village the right to test in a court of competent jurisdiction the legality or reasonableness of any final order made by the commission in the exercise of its duties or powers.

Commission may prescribe rules of procedure

Proviso

SEC. 5. Every public utility is required to furnish reasonably adequate service and facilities. The charge made by any public utility for any heat, light, water or power produced, transmitted, delivered or furnished or for any service to be rendered as, or in connection with, any public utility shall be reasonable and just, and every unjust and unreasonable charge is prohibited and declared unlawful.

Charges for utilities must be reasonable and just

SEC. 6. The commission may, in its discretion, investigate and ascertain the value of all the property of every public utility actually used and useful for the convenience of the public. In making such investigation the commission may avail itself of all information contained in the assessment rolls of the various counties and the public records of the various branches of the state government or any other information obtainable.

Commission may investigate all public utilities

SEC. 7. Every public utility shall keep and render to the commission, in manner and form prescribed by the commission, uniform and detailed accounts of all business transacted.

All public utilities must report to commission

(a) Every public utility engaged directly or indirectly in any other business than those mentioned in section 3 of this act, shall, if required by the commission, keep and render in like manner and form the accounts of all such other business, in which case all the provisions of this act shall apply with like force and effect to the books, accounts, papers and records of such other business. The commission shall cause to be prepared suitable blanks for carrying out the purpose of this act, and shall, when necessary, furnish such blanks to each public utility. No public utility shall keep any other books, accounts, papers or records of the business transacted than those prescribed or approved by the commission. Each public utility shall have an office within this state, and shall keep in said office all such books, accounts, records or papers, none of which shall be removed at any time from the state except upon such conditions as may be prescribed by the commission.

Blanks for reports

(b) The accounts of all such public utilities shall be closed

Annual
report on 15th
of September

annually on the 30th day of June, a balance sheet taken promptly therefrom, and full annual reports of the business be made to the commission not later than the 15th day of September following the closing of the accounts. The reports shall be in such form as may be prescribed by the commission, and shall contain all the information deemed by the commission necessary for the proper performance of its duties. The commission may, at any time, call for desired information omitted from such reports, or not provided for therein, whenever, in the judgment of the commission, such information is necessary.

Right of
examination

(c) Any commissioner, or any person or persons authorized by the commission, shall have the right to examine the books, accounts, records and papers of any public utility, for the purpose of determining their correctness, and whether they are being kept in accordance with the rules and system prescribed by the commission.

Penalty for
failure to
make report

SEC. 8. Any officer, agent or person in charge of the books, accounts, records and papers, or any of them, of any public utility, who shall refuse or fail for a period of thirty days to furnish the commission with any report required by the provisions of this act, and any officer, agent or person in charge of any particular books, accounts, records or papers relating to the business of such public utility who shall refuse to permit any commissioner or other person duly authorized by the commission to inspect such books, accounts, records or papers on behalf of the commission, shall be subject to a fine of not less than one hundred dollars (\$100), or more than five hundred dollars (\$500), such fine to be recovered in a civil action upon the complaint of the commission in any court of competent jurisdiction; and each day's refusal or failure on the part of such officer, agent or person in charge shall be deemed a separate offense, and be subject to the penalty herein prescribed.

Commission
to make
annual
report

SEC. 9. The commission shall make and publish annual reports for each calendar year showing its proceedings, which reports shall, as nearly as may be, conform in a general way to those of the railroad commission of this state, and be made at the same time. All the reports, records, accounts, books, files, papers and memoranda of every nature in the possession of the commission shall be open to the public, at all reasonable times, subject to the exception that when the commission deems it necessary, in the interest of the public, it may withhold from the public any facts or information in its possession for a period of not more than ninety days after the acquisition of such facts or information.

Commission
to fix stand-
ards for
service

SEC. 10. The commission shall ascertain and prescribe for each kind of public utility adequate, convenient and serviceable standards for the measurement of quality, pressure, voltage or other conditions pertaining to the supply of the product or service rendered by any public utility, and prescribe reasonable regulations for the examination and testing of such

products or service and for the measurement thereof. Any consumer, user or party served may have the quality or quantity of the product or the character of any service rendered by any public utility tested upon the payment of fees fixed by the commission, which fees, however, shall be paid by the public utility and repaid to the complaining party if the quality or quantity of the product or the character of the service be found by the commission defective or insufficient in a degree to justify the demand for testing; or the commission may apportion the fees between the parties as justice may require.

The commission may, in its discretion, purchase such materials, apparatus, and standard measuring instruments for such examinations and tests as it may deem necessary. The commission shall have the right and power to enter upon any premises occupied by any public utility for the purpose of making the examinations and tests provided for in this act and set up and use on such premises any necessary apparatus and appliances and occupy reasonable space therefor. Any public utility refusing to allow such examinations to be made as herein provided shall be subject to the penalties prescribed in section 8 of this act.

Commission
may procure
testing or
measuring
apparatus

SEC. 11. Every public utility shall file with the commission within a time to be fixed by the commission, schedules which shall be open to public inspection, showing all rates, tolls and charges which it has established and which are in force at the time for any service performed or product furnished in connection therewith by any public utility controlled or operated by it. In connection with such schedule, and as a part of it, shall also be filed all rules and regulations that in any manner affect the rates charged or to be charged for any service or product. A copy or so much of said schedules as the commission shall deem necessary for the use of the public shall be printed in plain type and posted in every station or office of such public utility where payments are made by the consumers or users, open to the public, in such form and place as to be readily accessible to the public and conveniently inspected. When a schedule of joint rates or charges is or may be in force between two or more public utilities, such schedule shall, in like manner, be printed and filed with the commission, and so much thereof as the commission may deem necessary for the use of the public shall be posted conspicuously in every station or office as in this section above provided. No changes shall thereafter be made in any schedule, including schedules of joint rates or in the rules and regulations affecting any and all rates or charges except upon thirty days' notice to the commission and all such charges shall be plainly indicated, or by filing new schedules in lieu thereof thirty days prior to the time the same are to take effect; *provided*, that the commission, upon application of any public utility may prescribe a less time within which a reduction may be made. Copies of all new or

Utility
companies
must file
schedules
with
commission

Schedules to
be posted for
public
inspection

Schedules
not changed
without legal
notice

amended schedules shall be filed, and posted in the stations and offices of public utilities as in the case of original schedules.

No rebates
or discrimi-
nation in
rates
charged

SEC. 12. It shall be unlawful for any public utility to charge, demand, collect or receive a greater or less compensation for any service performed by it within the state or for any service in connection therewith than is specified in such printed schedules, including schedules of joint rates, as may at the time be in force, or to demand, collect or receive any rate, toll or charge not specified in such schedules. The rates, tolls and charges named therein shall be the lawful rates, tolls and charges until the same are changed as provided in this act. It shall likewise be unlawful for any public utility to grant any rebate, concession or special privilege to any consumer or user, which directly or indirectly shall or may have the effect of changing the rates, tolls, charges or payments, and any violation of the provisions of this section shall subject the violator to the penalty prescribed in section 10 of this act. This, however, shall not have the effect of suspending, rescinding, invalidating or in any way affecting existing contracts.

Existing con-
tracts not
disturbed

Commission
may classify
service of
utilities

SEC. 13. The commission may prescribe classifications of the service of all public utilities, and in such classifications may take into account the quantity used, the time when used, and any other reasonable consideration. Each public utility is required to conform its schedule of rates, tolls, and charges to such classifications, for which schedules the commission may, when necessary, prescribe the forms.

Commission
may
adopt rules
regarding
inspection,
etc.

SEC. 14. The commission shall have power to adopt reasonable and proper rules and regulations relative to all inspections, tests, audits, and investigations, and to adopt and publish reasonable and proper rules to govern its proceedings and to regulate the mode and manner of all investigations and hearings held for the purpose of determining any question affecting public utilities; *provided*, that all such hearings shall be public.

Utilities must
produce
accounts, etc.

SEC. 15. The commission may require, by order to be served on any public utility in the same manner as a summons in a civil action, the production at such time and place as the commission may designate of any books, accounts, papers or records kept by such public utility in any office or place without the State of Nevada, or verified copies in lieu thereof, if the commission shall so direct, in order that an examination thereof may be made by the commission or under its direction, or for use as testimony. If any public utility shall refuse or fail to comply with such order, the said utility shall be subject to the liability named in section 8.

Expert may
be employed

SEC. 16. The commission shall have the authority to employ an expert engineer at a salary of \$3,600 per annum and necessary traveling expenses and is invested with full power to remove such engineer whenever his services shall be unsatisfactory to the commission. The commission may employ and

remove such other experts, clerks and assistants as it shall deem necessary, and fix their compensations.

SEC. 17. Upon a complaint made against any public utility by any mercantile, agricultural or manufacturing society or club, or by any body politic or municipal organization or by any person or persons, firm or firms, corporation or corporations, or association or associations, the same being interested, that any of the rates, tolls, charges or schedules of any joint rate or rates are in any respect unreasonable or unjustly discriminating, or that any regulations, measurements, practice or act whatsoever affecting or relating to the production, transmission or delivery or furnishing of heat, light, water or power, or any service in connection therewith is, in any respect, unreasonable, insufficient, or unjustly discriminatory, or that any service is inadequate, the commission shall proceed, with or without notice, to make such investigation as it may deem necessary. But no order affecting said rates, tolls, charges, schedules, regulations, measurements, practice or act complained of shall be entered without a formal hearing.

Investigation of unreasonable charges by commission, when

(a) The commission shall, prior to such formal hearing, notify the public utility complained of that complaint has been made, stating the substance thereof, or, if deemed necessary, accompanying the notice with a copy of the complaint, and ten days after such notice has been given, the commission may set a time for a hearing.

Utility to have notice

(b) The commission shall give the public utility and the complainant or complainants at least ten days' notice of the time when and the place where such hearing will be held, at which hearing both the complainant and the public utility shall have the right to appear by counsel or otherwise, and be fully heard. Either party shall be entitled to an order by the commission for the appearance of witnesses or the production of books, papers, and documents containing material testimony. Witnesses appearing upon the order of the commission shall be entitled to the same fees and mileage as witnesses in civil cases in the courts of the state, and the same shall be paid out of the state treasury in the same manner as other claims against the state are paid; but no fees or mileage shall be allowed, unless the chairman of the commission shall certify to the correctness of the claim.

Notice of public hearing

Witness fees and mileage

SEC. 18. If any party ordered to appear before the commission as a witness shall fail to obey such order, the commission, or any member, or the secretary thereof, may apply to the clerk of the nearest district court for a subpoena commanding the attendance of said witness before the commission. It shall be the duty of such clerk to issue such subpoena, and of any peace officer to serve the same. Disobedience to such subpoena shall be deemed a contempt of court and punished accordingly.

Disobedience of summons same as contempt of court

SEC. 19. If upon such hearing and due investigation, the rates, tolls, charges, schedules or joint rates shall be found to

Commission
may lower
rates, when

be unjust, unreasonable, or unjustly discriminatory, or to be preferential or otherwise in violation of any of the provisions of this act, the commission shall have the power to fix and order substituted therefor such rate or rates, tolls, charges or schedules, as shall be just and reasonable. If it shall in a like manner be found that any regulation, measurement, practice, act or service complained is unjust, unreasonable, insufficient, preferential, unjustly discriminatory, or otherwise in violation of the provisions of this act, or if it be found that the service is inadequate, or that any reasonable service cannot be obtained, the commission shall have power to substitute therefor such other regulations, measurements, practices, service or acts, and make such order relating thereto as may be just and reasonable.

Separate
hearings,
when

(b) When complaint is made of more than one rate, charge or practice, the commission may, in its discretion, order separate hearings upon the several matters complained of and at such times and places as it may prescribe. No complaint shall at any time be dismissed because of the absence of direct damage to the complainant. The commission may at any time, upon its own motion, investigate any of the rates, tolls, charges, rules, regulations, practices, and service, and after a full hearing as above provided, by order make such changes as may be just and reasonable, the same as if a formal complaint had been made.

Depositions
of witnesses

SEC. 20. The commission, or any party to any proceeding before it, may cause the depositions of witnesses to be taken in the manner prescribed by law for like depositions in civil actions.

Record of all
proceedings
to be taken
by stenog-
rapher

SEC. 21. A full and complete record shall be kept of all proceedings before the commission or its representative on any formal investigation, and all testimony shall be taken down by the stenographer appointed by the commission. Whenever any complaint is served upon the commission as hereinafter provided for the bringing of actions against the commission, before the action is reached for trial, the commission shall cause a certified copy of all proceedings held and testimony taken upon such investigation to be filed with the clerk of the court in which the action is pending.

No one
excused
from testify-
ing on
grounds of
self-
incrimina-
tion

SEC. 22. No person shall be excused from testifying, or from producing books and papers in any proceedings based upon or growing out of any alleged violation of the provisions of this act, on the ground of or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate or subject him to penalty or forfeiture; but no person having so testified shall be prosecuted or subjected to any penalty or forfeiture for, or on account of, any transaction, matter or thing concerning which he may have testified or produced any documentary evidence; *provided*, that no person so testifying shall be exempted from prosecution or punishment for perjury in so testifying.

Proviso

SEC. 23. Any officer, agent, or employee of any public util-

ity who shall wilfully fail or refuse to fill out and return any blanks as required by this act, or shall wilfully fail or refuse to answer any questions therein propounded, or shall knowingly or wilfully give a false answer to any such questions, or shall evade the answer to any such question, where the fact inquired of is within his knowledge, or who shall, upon proper demand, wilfully fail or refuse to exhibit to any commission or any commissioners, or any person also authorized to examine the same, any book, paper or account of such public utility which is in his possession or under his control, shall be subject to the penalty prescribed in section 8 of this act.

Refusal to
make reports
punished

SEC. 24. The commission shall inquire into any neglect or violations of the laws of this state by any such public utility as hereinbefore defined, doing business therein, or by the officers, agents, or employees thereof, and shall have the power, and it shall be its duty, to enforce the provisions of this act, and report all violations thereof to the attorney-general; upon the request of the commission it shall be the duty of the attorney-general, or the prosecuting attorney of the proper, or any county, to aid in any investigations, prosecutions, hearing, or trial had under the provisions of this act, and to institute and prosecute all necessary actions or proceedings for the enforcement of this act.

Commission
to enforce
this act

Attorney-
general and
district
attorneys to
prosecute

SEC. 25. All rates, fares, charges, classifications and joint rates fixed by the commission shall be enforced, and shall be *prima facie* lawful, from the date of the order until changed or modified by the commission, or in pursuance of section 26 of this act. All regulations, practices and service, prescribed by the commission shall be enforced and shall be *prima facie* reasonable unless suspended or found otherwise in an action brought for that purpose, pursuant to the provisions of section 27 of this act, or until changed or modified by the commission itself upon satisfactory showing made.

All rates and
regulations
fixed by
commission
prima facie
lawful

SEC. 26. Any party in interest being dissatisfied with an order of the commission fixing any rate or rates, fares, charges, classifications, joint rate or rates, or any order fixing any regulations, practices or services, may within ninety (90) days commence an action in the district court of the proper county against the commission and other interested parties as defendants to vacate and set aside any such order on the ground that the rate or rates, fares, charges, classifications, joint rate or rates, fixed in such order is unlawful or unreasonable, or that any such regulation, practice, or service, fixed in such order is unreasonable. The commission and other parties defendant shall file their answers to said complaint within thirty (30) days after the service thereof, whereupon such action shall be at issue and stand ready for trial upon twenty (20) days' notice to either party.

Appeal to
district
court, when

All actions brought under this section shall have precedence over any civil cause of a different nature pending in such court, and the court shall always be deemed open for the trial thereof,

Actions to
have
precedence

and the same shall be tried and determined as other civil actions; any party to such action may introduce evidence in addition to the transcript of the evidence offered to said commission.

Injunction
only order
of court

(a) No injunction shall issue suspending or staying any order of the commission except upon application to the court or judge thereof, notice to the commission having been first given and hearing having been had thereon; *provided*, that all rates fixed by the commission shall be deemed reasonable and just, and shall remain in full force and effect until final determination by the courts having jurisdiction.

Contradict-
ory evidence,
how treated

(b) If, upon the trial of such action, evidence shall be introduced by the plaintiff which is found by the court to be different from that offered upon the hearing before the commission, or additional thereto, the court, before proceeding to render judgment, unless the parties to such action stipulate in writing to the contrary, shall transmit a copy of such evidence to the commission, and shall stay further proceedings in said action for fifteen (15) days from the date of such transmission. Upon receipt of such evidence the commission shall consider the same, and may later modify, amend or rescind its order relating to such rate or rates, fares, charges, classifications, joint rate or rates, regulation, practice or service complained of in said action, and shall report its action thereon to said court within ten days from the receipt of such evidence.

Order may
be rescinded
or modified,
when

(c) If the commission shall rescind its order complained of, the action shall be dismissed; if it shall alter, modify or amend the same, such altered, modified or amended order shall take the place of the original order complained of, and judgment shall be rendered thereon, as though made by the commission in the first instance. If the original order shall not be rescinded or changed by the commission, judgment shall be rendered upon such original order.

Appeal may
be taken,
when

(d) Either party to said action within sixty (60) days after service of a copy of the order or judgment of the court may appeal or take the case up on error as in other civil actions. Where an appeal is taken to the supreme court of Nevada the cause shall, on the return of the papers to the higher court, be immediately placed on the calendar of the then pending term, and shall be assigned and brought to a hearing in the same manner as other causes on the calendar.

Burden of
proof

(e) In all actions under this act the burden of proof shall be upon the party attacking or resisting the order of the commission to show by clear and satisfactory evidence that the order is unlawful, or unreasonable, as the case may be.

Notice of
serious
accidents
persons
given
commission

SEC. 27. Every public utility shall, whenever an accident occurs in the conduct of its operations, causing death or personal injuries, give immediate notice thereof to the commission. If in its judgment the public interest requires it, the commission shall cause an investigation to be made forthwith, at such

place and in such manner as the commission shall deem it best.

SEC. 28. If any public utility shall violate any provision of this act, or shall do any act herein prohibited, or shall fail, or refuse to perform any duty enjoined upon it, or upon failure of any public utility to place in operation any rate or joint rate, or do any act herein prohibited, for which a penalty has not been provided, or shall fail, neglect, or refuse to obey any lawful requirement or order made by the commission or any court for every such violation, failure or refusal, such public utility shall be subject to the penalty prescribed by section 8 of this act.

Penalties for public utility violating this act

SEC. 29. Every annual report, record or statement required by this act to be made to the commission shall be sworn to by the proper officer, agent or person in charge of such public utility. Any intentionally false oath as to the correctness of such report, record or statement, shall be deemed perjury, and the person making such false oath shall, upon conviction, be punished as in the case of other perjuries.

All reports to commission must be sworn to

SEC. 30. Any forfeiture or penalty herein provided shall be recovered and suit thereon shall be brought in the name of the State of Nevada in the district court of any county having jurisdiction of the defendant. The attorney-general of Nevada shall be the counsel in any proceeding, investigation, hearing or trial, prosecuted or defended by the commission, as also shall any prosecuting attorney selected by said commission, or other special counsel furnished said commission in any county where such action is pending.

Suits at law

Attorney-general to represent commission

SEC. 31. In addition to all the other remedies provided by this act for the prevention and punishment of any and all violations of the provisions thereof, and all orders of the commission, the commission may compel compliance with the provisions of this act and of the orders of the commission by proceedings in *mandamus*, injunction, or by other civil remedies.

Mandamus, when

SEC. 32. Except in cases of emergency, all the necessary printing of the commission shall be done at the State Printing Office, and it is made the duty of the state printer to have such printing done as expeditiously as possible.

Printing for commission

SEC. 33. The commission and secretary, and such clerks and experts as may be employed, shall be entitled to receive from the state their necessary expenses while traveling on the business of the commission, including the cost of lodging and subsistence. Such expenditure shall be sworn to by the person who incurred the expenses and be approved by the chairman of the commission.

Traveling and other expenses

SEC. 34. Each section of this act and every part of each section are hereby declared to be independent sections and parts of sections, and the holding of any section or part thereof to be void or inoperative for any cause shall not be deemed to affect any other section thereof.

Each section independent of all others as regards constitutionality

SEC. 35. For the purpose of carrying out the provisions of

Appropriation

this act, the sum of \$5,000, exclusive of the amount named as the salary of the engineer, is hereby appropriated out of any moneys in the treasury not otherwise appropriated.

CHAP. 163—*An act to amend section one of an act entitled "An act to provide for the registration of the names of electors and to prevent frauds at elections," approved March 5, 1869.*

[Approved March 23, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of said act is hereby amended to read as follows:

When registry agent other than justice of the peace may be appointed

Section 1. The justices of the peace of the several counties of the state shall be ex officio the registry agents of their respective townships, and, as such, their powers and duties shall be as hereinafter provided in this act; *provided*, that in any townships where, from any cause, there shall be no justice of the peace duly commissioned and qualified, or where an election district may be situated too distant from the office of the justice of the peace of said township, the commissioners of the county in which said election district is located may appoint some other competent person to perform the duties of registry agent, who shall be clothed with the same power and governed by the same restrictions as justices of the peace in the registration of the names of electors under the provisions of this act. All registry agents shall have power to administer oaths or affirmations, and do such other acts as may be necessary to fully carry out the provisions of this act. Any registry agent or ex officio registry agent may appoint a deputy registry agent who, upon the filing of his appointment and oath of office with the county clerk, shall have power to register voters, administer oaths or affirmations, and do all such other acts as may be done by a registry agent in carrying out the provisions of this act. Any registry agent or ex officio registry agent appointing any deputy shall be responsible for the compensation and acts of such deputy.

CHAP. 164—*An act to amend section ten of an act entitled "An act to provide for the registration of the names of electors and to prevent frauds at elections," approved March 5, 1869.*

[Approved March 23, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section ten of said act is hereby amended to read as follows:

Section 10. Any registered elector, moving from one election

district to another, prior to the day of the ensuing election, may apply to the registry agent before whom he has already been registered for that electoral year, at any time prior to the delivery of the certified copies of register to the inspectors of election, and have his name taken off the official register, and receive from the registry agent a certificate showing substantially that he was on a certified date duly registered in the official register of township No....., in the county of, and that his name has been erased at his own request; which certificate shall entitle him to have his name registered in the same manner as other names are registered, in any other election district either within the same county or any other county, for said election; *provided*, that it shall satisfactorily appear to the registry agent receiving the certificate, and to whom application is made for the second registration, that the applicant will have resided such length of time within such county and election district, prior to the next ensuing election, as is or may be provided by law to entitle him to vote. Any registered elector employed in moving trains, stages, mails or otherwise upon any of the transportation routes in this state may apply to the registry agent before whom he has been already registered for that electoral year, at any time prior to the delivery of the certified copy of the register to the inspectors of election, and have his name taken off the official register and receive from the registry agent a certificate as above provided. Upon presenting, at any time not later than one hour prior to the closing of the polls, to the inspectors of election in any precinct on the railroad, stage line or transportation route on which he is employed, including the precinct in which he originally registered, the certificate mentioned above, and his written affidavit, which may be subscribed and sworn to before any of the inspectors of election, or any officer authorized to administer oaths, stating that he was so suddenly called away or detained by the transportation business in which he is employed that he did not have time to vote in the precinct in which he was originally registered, or to reregister under his transfer in that or any other precinct before the delivery of the certified copy of the register to the inspectors of election, the inspectors of election shall accept and file the certificate and affidavit and shall cause the name of the elector to be entered upon the certified copy of the register and the check-list under the designation "Electors allowed to vote upon presentation of certificate and affidavit on election day," and shall thereupon allow the elector to vote, the same as if his name had originally appeared upon the register, or certified copy thereof, and check-list.

Regarding
registration
of voters

Certain elect-
ors given
certificate
entitling
them to vote
in choice of
precincts
under certain
conditions

CHAP. 165—*An act to amend section two of an act entitled "An act to provide for the direct nomination of candidates for public office by electors, political parties and organizations of electors, without conventions, at elections to be known and designated as primary elections, determining the tests and conditions upon which electors, political parties and organizations of electors may participate in any such primary election, and establishing the rates of compensation for primary election officers serving at such primary elections; providing for the organization of political parties and the promulgation of their platforms, and providing the methods whereby the electors of political parties may express their choice at such primary elections for United States senator; to provide for the registration of voters for said primary elections and the compensation of registry agents, and to provide penalties for violating the provisions of this act," approved March 23, 1909.*

[Approved March 23, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section two of said act is hereby amended so as to read as follows:

Section 2. All candidates for elective public offices shall be nominated as follows:

How candidates may be nominated
At primary 1. By direct vote at primary elections held in accordance with the provisions of this act; or

By petition 2. By nominating petitions signed and filed as provided by existing laws. Party candidates for the office of United States senator shall be nominated in the manner provided herein for the nomination of candidates for state offices.

Applies to special elections
This act shall not apply to special elections to fill vacancies to the nomination of party candidates for presidential electors, nor to the nomination of officers of the incorporated cities, whose charters or ordinances now or may hereafter provide a system for nominating candidates for such offices, nor to the nomination of officers for reclamation and irrigation districts; nor to school district officers or school trustees; nor shall it be construed as restricting or affecting the right of political parties to hold, under existing laws, which are hereby continued in force for all such purposes, primaries and conventions for the selection of delegates to national conventions.

In effect SEC. 2. This act shall take effect and be in full force from and after its approval.

CHAP. 166—*An act providing for a single registration of the names of electors to vote at any primary election and at the election for which candidates are nominated at such primary election.*

[Approved March 23, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Hereafter when any qualified elector shall have registered a vote at any primary election under the provisions of section 17 of "An act to provide for the direct nomination of candidates for public office by electors, political parties and organizations of electors, without conventions, at elections to be known and designated as primary elections, determining the tests and conditions upon which electors, political parties and organizations of electors may participate in any such primary election, and establishing the rates of compensation for primary election officers serving at such primary elections; providing for the organization of political parties and the promulgation of their platforms, and providing the methods whereby the electors of political parties may express their choice for the registration of voters for said primary elections and the compensation of registry agents, and to provide penalties for violating the provisions of this act," approved March 23, 1909, and his name shall appear on the supplemental register provided for in said section 17, said elector shall not be required to register again in the same voting precinct as a qualification to vote at the election for which candidates were nominated at such primary election for which he has previously registered; and the registry agent shall copy the names appearing on said supplemental register into the registration books for said election the same as if such elector had registered for such election as now required by the registration laws of this state.

Registration
at primary
sufficient for
regular
election

CHAP. 167—*An act to amend "An act to provide for the direct nomination of candidates for public office by electors, political parties and organizations of electors, without conventions, at elections to be known and designated as primary elections, determining the tests and conditions upon which electors, political parties and organizations of electors may participate in any such primary election, and establishing the rates of compensation for primary election officers serving at such primary elections; providing for the organization of political parties and the promulgation of their platforms, and providing the methods whereby the electors of political parties may express their choice at such primary elections for United States senator; to provide for the registration of voters for said primary elections and the compensation of registry agents, and to provide penalties for violating the provisions of this act," approved March 23, 1909.*

[Approved March 23, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section five of the above-entitled act is hereby amended so as to read as follows:

Nomination
paper filed
thirty days
before
September
primary
election;
fourteen
days in other
primaries

Section 5. a. The name of no candidate shall be printed on an official ballot used at any primary election unless, at least thirty days prior to the primary election, if the candidate is to be voted for at the September primary election, and at least fourteen days prior to the primary election other than the September primary election, he shall file a nomination paper with the proper official as hereinafter provided by this act, such nomination paper to be under oath and in substantially the following form:

NOMINATION PAPER OF FOR THE OFFICE OF
State of Nevada, }
County of } ss.

Form of
nomination
paper

For the purpose of having my name placed on the official primary election ballot as a candidate for nomination by the party as its candidate for the office of, I, the undersigned,, do solemnly swear (or affirm) that I reside at No., street, in the city (or town) of, county of, State of Nevada, and that I am a qualified elector of the election precinct in which I reside; that I am a member of the party; that I believe in and intend to support the principles and policies of such political party in the coming election; that I affiliated with such party at the last general election in this state, and I voted for a majority of the candidates of such

party at the last general election (or did not vote at said last general election, giving reason); that I intend to vote for a majority of the candidates of said party at the ensuing election for which I seek to be a candidate; that if nominated as a candidate of said party at said ensuing election I will accept such nomination and not withdraw; that I will not knowingly violate any election law or any law defining and prohibiting corrupt and fraudulent practice in campaigns and elections in this state; and that I will qualify for said office if elected thereto.

.....(Signature of candidate for office.)

Subscribed and sworn to before me this day of, 19..... notary public (or other officer authorized to administer an oath).

b. In the case of an elector seeking a nomination for the office of state senator or member of the assembly, he may include with his affidavit one of the two statements hereinafter set forth in this section and subdivision. His failure to include either such statement shall not be a valid ground for refusal to receive and file his nomination paper or papers by the secretary of state, county clerk or register of voters in any city and county as the case may be. Such statements, if any be made, shall be in substantially the following form:

Declaration
of candidate
for senate or
assembly

I further declare to the people of Nevada, and to the people of(senatorial or assembly) district that during my term of office, without regard to my individual preference, I will always vote for that candidate for United States senator in congress who has received for that office the highest number of the people's votes for that position at the general election next preceding the election of a senator in congress.

Form of first
statement

.....(Signature of candidate for nomination.)

If the candidate be unwilling to sign the above statement, he may sign the following declaration, which shall be filed with his nomination paper.

I further declare to the people of Nevada, and to the people of the(senatorial or assembly) district that during my term of office I shall consider the vote of the people at any primary election for United States senator as nothing more than a recommendation, which I shall be at liberty wholly to disregard as I see fit.

Form of
alternative
statement

.....(Signature of candidate for nomination.)

c. Nothing herein shall be construed as prohibiting the independent nomination of candidates to be voted for at any general election, by electors or bodies of electors, as now provided by law, but a candidate defeated at a primary election

Independent
candidates

held under the provisions of this act shall be ineligible for nomination to the same office at the same election.

SEC. 2. Section seven of said act is hereby amended to read as follows:

Fees from candidates at primary election Section 7. Any candidate filing a nomination paper as provided in section 5a, with the proper officer as provided in section 6 shall pay to such officer a fee for such filing as follows:

State candidate If a candidate for nomination for any state office, or any district office voted for in more than one county, or representative or United States senator in congress, one hundred dollars.

District If a candidate for any district office voted for wholly in one county, fifty dollars.

County If a candidate for any county office, twenty-five dollars.

Senate If a candidate for state senator, twenty-five dollars.

Assembly If a candidate for assemblyman, fifteen dollars.

Township office If a candidate for justice of the peace, constable or other town or township office, ten dollars.

No filing fee shall be required from a candidate for an office the holder of which receives no compensation.

SEC. 3. Section twelve of the above-entitled act is hereby amended so as to read as follows:

All parties on same ticket Section 12. 1. All voting at primary elections within the meaning of this act shall be by ballot, and the respective tickets of all political parties shall be printed on the same ballot.

County clerk to furnish ballots It shall be the duty of the county clerk of each county to provide such printed official ballots to be used at any September primary election for the nomination of candidates to be voted for in such county, town or township, at the ensuing November election.

It shall be the duty of the city clerk or secretary of the legislative body of any municipality to provide such printed official ballots for any primary election other than the September primary election.

Secretary of state to furnish ballot paper All official ballots shall be printed on plain white paper. The secretary of state shall furnish the paper necessary to print said ballots and it shall be the duty of the secretary of state to obtain and keep on hand a sufficient supply of such paper for ballots, and to furnish the same in quantities ordered to any county clerk.

Paper to have distinctive watermark Such paper shall be watermarked with a design furnished by the secretary of state in such manner that the said watermark shall be plainly discernible on the outside of such ballot when properly folded, and such design shall be changed at each primary election.

2. Official primary election ballots used at any primary election for the nomination of candidates to be voted for at any presidential or general state election shall be not less than twelve inches wide, and enough wider to conform to the requirements of the following provisions of this section, and as long as the herein prescribed captions, headings, party designations, directions to voters, and lists of names of candidates, properly subdivided according to the several offices to be nominated for, may require; and no official primary election ballot shall be less than six and one-half inches wide.

Size of
ballots
prescribed

3. Across the top of the ballot shall be printed in heavy-faced gothic capital type, not smaller than fifty-four point, the words: "Official Primary Election Ballot."

Regulations
as to type,
etc.

Beneath this shall be printed in not smaller than eighteen-point type the name of the county and town, or township, wherein such ballot is to be used, together with the date of such primary election.

Specifica-
tions as to
type, etc.

In the case of official primary election ballots to be used at any primary election held for the nomination of candidates other than those to be voted for at a presidential or general state election the words "Official Primary Election Ballot" shall be printed thereon in heavy-faced gothic capital type not smaller than twenty-four point.

4. At least three-eighths of an inch below the name of the county and town or township as aforesaid, and the date of the primary election, shall be printed in ten-point black-faced type, double-leaded, the following, "Instructions to Voters":

Place a cross (X) in the square just below the name of the party whose candidates you desire to vote for.

Instructions
to voters

The designation of more than one party will render your ballot void, and the failure to designate any party will render your ballot void if you vote for any candidate or candidates of more than one party.

To vote for a candidate of the party you have designated, make a cross (X) in the square at the right of the name of the person for whom you desire to vote.

Any votes for a candidate other than a candidate of the party you have designated will be disregarded.

5. The "Instructions to Voters" shall be separated from the names of the several parties and the lists of candidates thereof and the designation of the several offices for which nominations are to be made by one light and one heavy line or rule.

Further
specifica-
tions

Beneath the "Instructions to Voters" there shall be printed in as many separate parallel columns as there are political parties represented on said ballot and in said primary election, the names of the respective offices and the candidates

for nomination therefor, with the name of said respective political parties in not smaller than eighteen-point black-faced type at the head of said respective parallel columns.

Immediately beneath the name of each party there shall be placed a voting square not less than one-half inch square, the lines bounding said square being four-point black-faced rule.

The names of said parties shall be separated from each other and from the names of the candidates and offices by lines.

Order of
parties to be
alphabetical

The order of said party tickets constituting such respective parallel columns with the name of the party at the head of the respective columns as aforesaid shall be alphabetical from left to right according to the first letter of the names of political parties represented on said ballot.

Names of
candidates to
be in alpha-
betical order

6. The names of the candidates for each office shall be grouped in alphabetical order according to the surnames of the candidates for such office and each group shall be preceded by the designation of the office for which the candidates seek nomination and the words "Vote for one" or "Vote for two" or more, according to the number to be nominated. Such designation of the office to be nominated for and of the number of candidates to be nominated shall be printed in heavy-faced gothic type, not smaller than eight-point. The word or words designating the office shall be printed flush with the left-hand margin, and the words "Vote for one" or "Vote for two" or more, as the case may be, shall extend to the extreme right of the column and over the voting square. The designation of the office and the direction for voting shall be separated from the names of the candidates by a light line.

Size of type
for names

7. The names of the candidates shall be printed on the ballot, without indentation, in gothic capital type not smaller than eight-point, between light lines or rules three-eighths of an inch apart. To the right of the names of the candidates shall be printed a light line or rule so as to form a voting square three-eighths of an inch square.

Each group of names of candidates shall be separated from the succeeding group by one light and one heavy line or rule.

Ballots to be
endorsed

All official primary ballots shall have printed on the back and immediately below the center thereof, in eighteen-point gothic capital type the words "Official Primary Election Ballot," and beneath these words the respective counties in which each ballot is to be voted.

Form of
ballot

8. The primary election ballot shall be printed in the following form:

OFFICIAL PRIMARY ELECTION BALLOT

ORMSBY COUNTY, CARSON TOWNSHIP (OR TOWN OR CITY)

SEPTEMBER 8, 1910

TWENTY-FIFTH SESSION

341

INSTRUCTIONS TO VOTERS: Place a Cross (X) etc. (See Sec. 3, par. 4.)

<div>DEMOCRATIC PARTY</div> <div><input type="checkbox"/></div>	<div>REPUBLICAN PARTY</div> <div><input type="checkbox"/></div>	<div>SOCIALIST PARTY</div> <div><input type="checkbox"/></div>
<div>U. S. Senator</div> <div>Vote for One</div> <div>JOHN DOE</div> <div>RICHARD ROE</div>		
<div>Etc.</div>		

SEC. 4. Section thirteen of said act is hereby repealed.

SEC. 5. Section fourteen of said act is hereby amended to read as follows:

Sample
ballots to be
on yellow
paper

Section 14. At least twenty days before the September primary election each city clerk or county clerk in any city or county shall prepare sample ballots for such election, placing thereon alphabetically, according to surnames under the appropriate title of each office the same as hereinbefore described for the official ballot, the names of all candidates for whom nomination papers have been duly filed with him, or have been certified to him by the secretary of state, to be voted for at the primary election in his county or city and county. Such sample ballots shall be printed on yellow paper, and be conspicuously marked with the words "Sample Ballot."

Sample
ballots to be
submitted to
county
chairman

Such clerk shall forthwith submit a copy of said ballot to the chairman of the county committee of each political party represented on such ballot and shall mail a copy to each candidate for whom a nomination paper has been filed with him, or whose name has been certified to him by the secretary of state, to the postoffice address as given in such nomination paper or certification, and shall post a copy of said sample ballot in a conspicuous place in his office, and such clerk shall print for general distribution one sample ballot for each voter in each precinct, and shall distribute said sample ballots not less than ten days before said primary election by sending said sample ballots to the registration agent or agents of the several precincts for distribution.

Distributed
ten days
before
primary

County clerk
to correct
errors on
ballot

On the tenth day before such primary election the county clerk shall correct any errors or omissions in the ballot, causing same to be printed as in this act provided, and to be distributed as provided by law, except that the number of ballots to be furnished to each voting precinct shall be apportioned at the ratio of one hundred and fifty such ballots for each one hundred voters registered in each precinct for each primary election.

City clerk's
duties in
municipal
primary

In the case of primary elections for the nomination of candidates for city offices it shall be the duty of the city clerk or secretary of the legislative body of such city or municipality, or such other officer charged by law with the duty of preparing and distributing official ballots used at elections in such city or municipality, to prepare and distribute the sample and official primary election ballots, and so far as applicable and not otherwise provided herein the provisions of this act shall apply to the nomination of all candidates for city offices; *provided*, that the lists of candidates shall be posted and published at least ten days before such primary election and the official ballots printed at least four days before the day of holding such primary election.

SEC. 6. Section eighteen of said act is hereby amended so as to read as follows:

Section 18. Any elector desiring to vote at any primary election shall give his name and address to the ballot clerk who shall immediately announce the same, and the elector's right to vote may be challenged by any elector upon any of the grounds now allowed by law for a challenge for a right to vote at a general election, and such challenge to vote shall be disposed of in the same manner as now provided by law for challenges at general elections.

Mode of voting at primary

The voter shall be instructed, if necessary, by a member of the board as to the proper method of marking and folding his ballot and he shall then retire to an unoccupied booth and without undue delay stamp the same with a rubber stamp there found.

Instructions may be given voter

If he shall spoil or deface the ballot he shall at once return the same to the ballot clerk and receive another.

New ballot, when

SEC. 7. Section nineteen of said act is hereby amended so as to read as follows:

Section 19. 'a. The voter shall designate the political party the candidates of which he desires to vote for, by a cross (X) in the square immediately below the name of such party and he shall designate but one such party; if he shall designate more than one party it shall render such ballot void, and if he shall fail to so designate any party at all such ballot shall be void unless the voter shall have voted only for the candidates of one and the same political party, and shall not have voted for any candidate of any other political party, in which case such ballot shall be counted the same as if the voter had properly designated the party for whose candidates he voted. In case the voter designates one political party in the manner above provided and votes for candidates for nomination of any other political party than the party designated, such votes for such candidates of any other party than the one designated, shall be disregarded in the count.

Voter to designate political party by marking

When ballot void

b. The voter shall designate his choice on the ballot of candidates of his party by stamping a cross (X) in the small square opposite the name of each candidate for whom he desires to vote. If he shall stamp more names than there are candidates to be nominated for any office, or if for any reason it is impossible to determine his choice for any office, his ballot shall not be counted for such office, but the rest of his ballot, if properly stamped, shall be counted, except as above provided in subdivision "a" of this section.

Manner of marking ballot

No ballot shall be rejected for any technical error which does not render it impossible to determine the voter's choice for candidates of his party, nor even though such ballot be somewhat soiled or defaced.

Ballot not rejected for technical error

SEC. 8. Section twenty-two of said act is hereby amended so as to read as follows:

Section 22. As soon as the polls are finally closed the judges must immediately proceed to canvass the votes cast at such primary election. The canvass must be public, in the

Canvass, how conducted

presence of bystanders, and must be continued without adjournment until completed, and the result thereof declared. Except as hereinafter provided, the canvass shall be conducted, completed and returned as provided by law.

The number of ballots agreeing or being made to agree with the number of names on the lists, as now provided by law, the board must take the ballot from the box and count all the votes cast for each party candidate for the several offices and record the same on separate tally-lists for each party.

SEC. 9. Section twenty-three of said act is hereby amended so as to read as follows:

County commissioners to canvass primary returns Section 23. The board of county commissioners of each county, or in the case of a city or municipal primary election, the officers charged by law with the duty of canvassing the votes at any city or municipal election in such political subdivision, shall meet at the usual place at 1 o'clock in the afternoon of the first Friday after each primary election to canvass the returns.

Canvass continued, when If, at the time of meeting, the returns from each precinct in the county, city and county or other political subdivision in which polls were open have been received, the board must then and there proceed to canvass the returns; but if all these returns have not been received the board may adjourn to 1 o'clock in the afternoon of the following Monday, when the canvass shall begin and be continued until completed, which shall not be later than 6 o'clock in the afternoon of the tenth day following such primary election.

County clerk to record results The clerk of the board must, as soon as the result is declared enter upon the records of such board a statement of such result, which statement shall contain the whole number of votes cast for each candidate of each political party, and a duplicate as to each political party shall be delivered to the county, city and county, or city chairman of each political party, as the case may be.

To make duplicate and forward same to secretary of state The clerk shall also make an additional duplicate statement in the same form, showing the votes cast for each candidate not voted for wholly within the limits of such county, or city and county. The county clerk in any county shall forthwith send to the secretary of state by registered mail one complete copy of all returns as to such candidates and as to all candidates for the state assembly, state senate, representatives in congress, and judicial offices, except justices of the peace.

Segregated statements The clerk shall also prepare a separate statement of the names of the candidates of each political party who have received the highest number of votes for the several offices to be voted for wholly within such county, city and county or other political subdivision in which such primary election was held.

The secretary of state shall, not later than the twenty-fifth day after any primary election, compile the returns for all candidates voted for in more than one county, and for all

candidates for the assembly, state senate, representatives in congress and judicial officers, except justices of the peace, and shall make out and file in his office a statement thereof.

Secretary of state to compile returns of canvass

SEC. 10. Section twenty-four of said act is hereby amended so as to read as follows.

Section 24. The person receiving the highest number of votes at a primary election as the candidate for the nomination of a political party for an office shall be the candidate of the party for such office, and his name as such candidate shall be placed on the official ballot voted at the ensuing election.

Candidates of respective political parties

It shall be the duty of the officers charged with the canvass of the returns of any primary election in any county, city and county, or municipality to cause to be issued official certificates of nomination to such party candidates as have received the highest number of votes as the candidates for the nomination of such party for any offices to be voted for wholly within such county, city and county, or municipality; and cause to be issued to such county committeemen a certificate of his election.

Certificate of nomination, how issued

It shall be the duty of the secretary of state to issue official certificates of nomination to candidates nominated under provisions of this act for representatives in congress and officers voted for in more than one county.

Secretary of state to issue nomination certificates for state and national offices, and complete returns for U. S. senator

It shall also be the duty of the secretary of state to compile the returns for United States senator in congress, if any, and prepare a statement thereof. A duplicate of such statement in so far as it shall be applicable to such party shall be transmitted to the state chairman of each political party. And it shall be the duty of the secretary of state to transmit duplicates of such statements to the speaker of the assembly and to the president of the senate on the first day of the next ensuing session of the legislature, together with his official certificates of nomination for the candidates for United States senator in congress who received the highest number of votes cast by their respective party at the primary election.

SEC. 11. Section twenty-five of said act is hereby amended so as to read as follows.

Section 25. On the second Tuesday after any September primary election at the hour of 2 p. m. all the candidates of each political party to be voted for wholly within any county (including state senators and assemblymen) shall meet at the court-house at the county-seat of such county and there organize, and adopt a county party platform and elect a county committee to consist of not less than one nor more than three electors from each voting precinct, but each precinct shall be represented by the same number of committeemen: such county committeemen shall hold office for the term of two years and until their successors are elected. A vacancy in such committee may be filled by the remaining members.

County platform, how formulated

State central committees shall be selected as hereinafter provided; each such committee may select an executive com-

Selection of
state central
committees

mittee and shall choose its officers by ballot and each committee and its officers shall have the powers usually exercised by said committees and the officers thereof in so far as may be consistent with this act.

The various officers and committees now in existence shall exercise the powers and perform the duties herein prescribed until their successors are chosen in accordance with the provisions of this act.

SEC. 12. Section twenty-six of this act is hereby amended so as to read as follows:

State plat-
forms, how
formulated

Section 26. In the years when a governor and other state officers are to be elected the candidates for state officers and for senate and assembly nominated by each political party whose term of office extends beyond the first Monday in January of the year next ensuing shall meet at the state capital at 2 o'clock in the afternoon on the fourth Tuesday of September after the date on which any primary election is held preliminary to such general state election. They shall forthwith formulate the state platforms of their party, which said state platform of each political party shall be framed at such time that it shall be made public not later than 6 o'clock in the afternoon of the following Thursday.

Proxies

Members of such conventions may be represented thereat by proxy duly executed, but no person other than a member shall act as proxy for a member.

State central
committees,
three mem-
bers from
each county

It shall also proceed to elect a state central committee, to consist of at least three members from each county, who shall hold office until a new state central committee shall have been selected. In years when a state convention assembles to select delegates to a national convention, to nominate a candidate for president and for vice-president of the United States, such state convention shall have the power to formulate their party platform and to select such new state central committee, which shall consist of at least one member from each county, which committee shall hold and exercise its power until the candidates for state offices and for senate and assembly to be voted for at the next ensuing state election shall assemble and select their successors. Such state central committee shall meet and organize at a time and place to be designated by the body selecting such state central committee, and such committee may then and thereafter select an executive committee.

Organization
of same

SEC. 13. Section thirty of said act is hereby amended so as to read as follows:

Contested
nomination,
how pro-
ceeded with

Section 30. Any candidate at a primary election desiring to contest the nomination of another candidate for the same office may proceed by affidavit within five days after the completion of the canvass as provided in section 23 of this act. And the contestee shall be required by the order of such justice of the supreme court or judge of the district court to appear and abide the further order of the court.

SEC. 14. Section thirty-one of said act is hereby amended so as to read as follows:

Section 31. Any officer in whose office any nomination paper has been properly filed who shall wrongfully either suppress, neglect or fail to cause the filing thereof to be noted at the proper time and in the proper place shall be guilty of a misdemeanor, and upon trial and conviction thereof shall be punished by a fine of not less than one hundred dollars or more than five hundred dollars or imprisonment in the county jail for not less than thirty days nor more than six months, or by both such fine and imprisonment.

Neglect or
misfeasance
of filing
officer
punished

Any act or omission declared to be an offense by the general laws of this state concerning primaries and elections shall also in like case be an offense concerning primary elections as provided for by this act, and shall be punished in the same manner and form as therein provided, and all penalties and provisions of the law governing elections, except as herein otherwise provided shall apply in equal force to primary elections as provided for by this act.

General law
to govern
primaries

SEC. 15. Section thirty-two of said act is hereby amended so as to read as follows:

Section 32. It shall be the duty of the secretary of state and attorney-general to prepare all necessary forms to carry out the provisions of this act within sufficient time for the use of such forms.

State officers
to prepare
necessary
forms

CHAP. 168—*An act to authorize the issuance of interest-bearing school warrants in emergencies, to repeal all acts and parts of acts in conflict herewith, and other matters properly connected therewith.*

[Approved March 23, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Whenever the county school fund of any school district is exhausted and there is not available money to meet the necessary expenses involved in maintaining the public schools of the district, the board of trustees of such district may, by unanimous vote, by resolution setting forth the character of the emergency, authorize the clerk of the board to issue orders, for the payment of current bills of the schools of the district, to the county auditor, and said county auditor shall draw warrants for the same on the county treasurer in the usual manner. Such orders shall be in the hands of the county auditor valid vouchers for warrants so drawn.

When interest-bearing
school
warrants
may be
issued

SEC. 2. When such warrants are presented to the county treasurer he shall endorse thereon the date and "Not Paid for Want of Funds," and such warrants shall draw interest from date at the rate of seven per cent per annum.

How
endorsed

Order in
which paid

SEC. 3. The county treasurer shall keep a list of all warrants so endorsed and shall pay them in the order of endorsement whenever there is sufficient money in the fund upon which such warrants are drawn. The interest on such warrants shall stop when the county treasurer shall give notice that he has funds with which to pay the same.

Amount of
warrants
limited

SEC. 4. It shall not be lawful for the clerk of the board of trustees of such district to draw orders on the county auditor in such amount that the total amount of such interest-bearing warrants of the district, outstanding and unpaid, shall exceed the total cost of maintaining the schools of the district for the current year, nor exceed one per cent of the total assessed valuation of the district.

Prelimi-
naries as to
issue

SEC. 5. Before the issuance of the first of such interest-bearing warrants the clerk of the board of trustees shall submit to the county commissioners of said county a copy of the resolution of the board of trustees authorizing the same, and said county commissioners shall levy and cause to be collected a special tax upon the taxable property of the school district, sufficient to pay such warrants within three years.

Repeal

SEC. 6. All acts and parts of acts in conflict with this act are hereby repealed.

In effect

SEC. 7. This act shall take effect immediately upon passage and approval.

CHAP. 169—*An act to enable the unincorporated cities and towns of the State of Nevada to acquire by construction, purchase or otherwise, sewerage systems, light systems, water systems, or combined water and light systems, or combined water, light and sewerage systems, and to issue bonds for the construction or purchase of the same, and to provide for the fixing and collections of rates for the service thereof and other matters relating thereto.*

[Approved March 23, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Unincor-
porated towns
may acquire
or construct
public utility
systems

SECTION 1. Full power and authority is hereby granted to the county commissioners of the several counties in this state acting with regard to the management of the affairs and business of any unincorporated town or city within their respective counties, subject to the provisions of this act, to acquire by construction, purchase or otherwise, sewerage systems, light systems, water systems, combined light and water systems and combined light, water and sewerage systems, and all such other personal or real property as may be necessary for the installment, use and management thereof, and to issue bonds in payment therefor in the amount and manner herein set forth and prescribed.

Bonds

SEC. 2. The bonds herein provided for and hereby authorized to be issued of any such city or town shall not at any time exceed the sum or amount designated by the authority authorizing the issuance thereof, as in this act hereinafter provided; said bonds shall be of convenient denominations, not less than fifty dollars nor more than one thousand dollars, and shall bear interest at the rate of not more than six per cent per annum, interest on each bond to be payable annually, beginning on the third Monday of January on the second year after such bonds shall have been issued, and upon the same date in each succeeding year during the life of such bond. The bonds shall be numbered consecutively and have interest coupons attached in such manner that they can be removed upon the payment of the installments of interest without injury to the bonds. The bonds shall be signed by the chairman of the board of county commissioners, acting as a city or town board, and countersigned by the clerk of said board. The bonds shall be distinctly known as sewerage bonds, light bonds, water bonds, water and light bonds, or water, light and sewerage bonds as appropriate, and the name of the town or city issuing said bonds shall be inserted before the word as designating the character thereof.

Amount of
bonds
limited

SEC. 3. Before issuing said bonds, the board of county commissioners, acting as such city or town board, shall publish notice for at least three consecutive weeks in some daily newspaper, published in said city or town, calling for a special election by the legally qualified electors of such city or town, to determine whether such bonds shall issue. If there be no daily newspapers published in such city or town, the said notice shall be posted in at least three conspicuous places within the limits of such city or town for three consecutive weeks, and if there be in said town or city a weekly newspaper, or any other newspaper published in said city or town not being a daily newspaper, such notice shall also be published in each issue of said newspaper during the period prescribed herein for the posting of such notice. The notice shall state specifically the amount of the proposed bond issue, the rate of interest the bonds are to bear, time and manner of their payment, and that they are for the construction or purchase, as the case may be, of sewerage system, light system, water system, combined light and water system, or combined sewerage, light and water system, as the case may be.

Special
election
for bonds
advertised

SEC. 4. The board shall cause a sufficient number of ballots to be printed which shall bear the words "Sewerage bonds—Yes," "Sewerage bonds—No" or "Light bonds—Yes," "Light bonds—No" or "Water bonds—Yes," "Water bonds—No" or "Water and light bonds—Yes," "Water and light bonds—No" or "Sewerage, light and water bonds—Yes," "Sewerage, light and water bonds—No," as the case may require, printed thereon in parallel lines, one above the other. The voter will scratch out the word "yes" if opposed to the bonds, or the word "no" if

Ballots, how
printed

Election, how
conducted

in favor of their issue. The election shall be conducted and the votes canvassed, in all essential particulars as in other city and town elections. If a majority of all the votes cast are in favor of the issue of the bonds, the board of county commissioners, acting as such city or town board, shall proceed at once to issue them as rapidly as needed, in conformity with the provisions of this act. Said board of county commissioners are hereby authorized to sell such bonds or any part thereof as may be necessary, to be sold at not less than their par value; bonds hereby authorized to be issued and sold shall be redeemable in the order of their issuance annually thereafter, according to the time specified therein from the date of their issue respectively.

Fund for
payment of
bonds and
interest

SEC. 5. To provide for the payment of the said bonds and the interest thereon, whenever the revenues from the sale of service hereinafter provided for shall be insufficient for that purpose, the board of county commissioners shall at the time of the regular tax levy for the state and county purposes, levy an additional tax upon all real and personal property within the limits of such town or city, sufficient in their judgment to pay the interest upon such bonds annually, as such interest shall become due, and to pay the principal of such bonds as the same shall mature, according to the time designated in such bonds as the maturity thereof respectively. Said taxes shall be assessed and collected the same as other taxes, paid to the county treasurer, and by him placed in a fund to be known as "..... Sewerage Fund," "Light Fund," "Water and Light Fund," or "Sewerage, Light and Water Fund," with the name of the city or town as the case may be, with the name of the city or town preceding the word designating the character of the bond. The principal upon said bonds shall become due and the said bonds shall mature and be payable in years from the date of the issuance thereof respectively.

All systems
constructed
or purchased
under
supervision
of county
commis-
sioners

SEC. 6. All sewerage systems, light systems, water systems, light and water systems, or sewerage, light and water systems, constructed, purchased or otherwise acquired under the provisions of this act, shall be so constructed, purchased or otherwise acquired under the supervision and control of the board of county commissioners, acting as such city or town board. The board of commissioners acting as such town or city board may purchase any sewerage system, light system, water system, water and light system, or sewerage, light and water system theretofore established, or in use, or they may purchase the franchises, rights, privileges and plants thereof from the owners thereof, corporate or private, and improve or extend the same. Or they may advertise for plans and specifications and bids for the construction of any or all of such systems hereby authorized to be acquired, as in cases of other public work.

SEC. 7. In all cases wherein such sewerage systems, light systems, water systems, water and light systems, or sewerage,

light and water systems, are constructed, or acquired, under the provisions of this act in such unincorporated cities and towns, and such cities and towns are afterwards incorporated, the control and management of such systems shall at once be vested in the municipal governments of such cities and towns. In case such cities and towns shall be incorporated while the work of construction is in progress, the work shall nevertheless be carried on to completion by the board of county commissioners and when completed such system shall be turned over to the city or town government as soon as it shall have been organized and it shall have control and management thereof. In such case it shall then be the duty of such city or town government to provide for the payment of the principal and interest on said bonds, when the revenues from the service of such systems shall be insufficient therefor, by the levy and collection of taxes as herein provided. It shall be the duty of the county treasurer to have the custody of the sewerage, light, water, light and water, or sewerage, light and water funds and to turn such funds over to the city treasurer, immediately upon the qualification of the city treasurer, and the bonds, principal and interest shall then be paid by the city government in all respects as prescribed for their payment by the board of county commissioners acting as city or town boards, as herein provided, and whatever may be the designation of the board of control of such incorporated city or town, it shall succeed to all the powers and privileges heretofore conferred on the board of county commissioners by the provisions of this act.

When town is incorporated municipal board to govern systems

SEC. 8. For the purpose of further providing for the payment of the principal and interest upon the bonds hereby authorized to be issued at the time and in the manner specified in this act and in such bonds respectively, the board of county commissioners, acting as a town or city board, and the successors of such commissioners, by which it is intended to mean any municipal government of such towns or cities, which may succeed to the control and management of the systems or any of the systems in this act to be acquired, shall have the power and it shall be their duty to fix the rates of service of the or any of the systems acquired under the provisions of this act, to the inhabitants of such towns or cities and to adopt ordinances regulating the manner and use by such inhabitants of the system or any of the systems so acquired, collect the rates so fixed in the manner prescribed by the law of the city for the collection of delinquent taxes or by proceeding in the nature of a civil action, brought in the name of the county commissioners of the county wherein the cause of action arises and to enforce the collections of such rates from the delinquents in the manner provided by the code of civil procedure of this state.

Further provisions for payment of interest and principal of bonds

SEC. 9. All moneys acquired by the sale of services herein provided for shall be paid to the county treasurer and by him assigned to a fund to be known as the "Contingent Light," "Contingent Water," "Contingent Sewerage,"

Moneys received from systems to go to certain funds

"Contingent Water and Light," or "Contingent Sewerage, Water and Light Fund of town," inserting before the word "Contingent" the name of the town to which such fund is credited; the contingent expense necessary to the installment, management and control of any system acquired under the provisions of this act shall first be paid out of said fund; the surplus money remaining after the payment of such contingent expenses shall annually thereafter and at the first meeting of the board of commissioners in January of each year thereafter be assigned by the county commissioners to the city as a redemption fund for the payment of the bonds issued under the provisions of this act. No interest shall be paid on said bonds after their maturity.

This act
applies to un-
incorporated
towns

SEC. 10. The provisions of this act shall apply to any unincorporated city or town within this state, which is now or may hereafter be subject to the provisions of an act of the legislature entitled "An act providing for the government of cities and towns of this state," approved February 26, 1881, and all acts amendatory thereof or supplementary thereto.

Special
election pro-
vided for

SEC. 11. It is hereby made the duty of the county commissioners of the several counties of this state to call, hold and provide, in the manner required by law, for a special election as provided for in section 3 of this act, upon a petition signed by electors residing within the city and town, equal in number to at least twenty per cent of the entire vote cast at the last preceding election, held in the town or city in which said special election is to be held.

SEC. 12. This act shall take effect from and after its passage.

In effect
Officers
responsible

SEC. 13. The county treasurer and the city treasurer, as the case may be, shall be responsible on his official bond for all funds which may come into his hands under the provisions of this act.

No compen-
sation for
services
herein

SEC. 14. The county commissioners of the several counties of this state and the treasurers of such counties shall perform all the duties required of them under the provisions of this act, without further compensation than now required by law.

CHAP. 170—*An act supplementary to an act entitled "An act to provide revenue for the support of the government of the State of Nevada, and to repeal certain acts relating thereto," approved March 23, 1891.*

[Became a law March 23, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Taxation of
mortgages,
deeds of
trust, etc.

SECTION 1. All taxable property must be assessed at its full cash value. Land and improvements thereon shall be separately assessed. A mortgage, deed of trust, contract, or other obligation by which a debt is secured, shall, for the purposes of assessment and taxation, be deemed and treated as an inter-

est in the property affected thereby, except as to railroad and other quasi-public corporations. In case of debts so secured, the value of the property affected by such mortgage, deed of trust, contract, or obligation, less the value of such security, shall be assessed and taxed to the owner of the property, and the value of such security shall be assessed and taxed to the owner thereof, in the county, city, or district in which the property affected thereby is situated. The taxes so levied shall be a lien upon the property and security, and may be paid by either party to such security; if paid by the owner of the security, the tax so levied upon the property affected thereby shall become a part of the debt so secured. If the owner of the property shall pay the tax so levied on such security, it shall constitute a payment thereon, and, to the extent of such payment, a full discharge thereof. If any such security or indebtedness shall be paid by any such debtor or debtors after assessment and before the tax levy, the amount of such levy may likewise be retained by such debtor or debtors, and shall be computed according to the tax levy for the preceding year; and every contract by which a debtor is obliged to pay any tax or assessment on money loaned, or on any mortgage, deed of trust, or other lien, shall, as to any interest specified therein, and as to such tax or assessment, be null and void.

Taxation of mortgages, deeds of trust, etc.

SEC. 2. The owner of a mortgage, deed of trust, contract, or other obligation whereby land or real property, situated in this state, is made security for the payment of a debt, and also the debt so secured, shall for the purpose of assessment and taxation, be deemed to be the person or persons to whom the security was given in the first instance, unless it appears on the record of the security that some other person is the owner; and all assignments or transfers of a debt secured as mentioned in this act shall, for the purposes of assessment and taxation, be null and void, unless such transfer or assignment is made in writing upon the margin of the record of the security, and the name of the person to whom such debt is assigned or transferred given; and in all cases such debt and security shall be assessed and taxed to the person or persons who appear on the record of such security to be owner or owners thereof; and a mortgage, deed of trust, contract, or other obligation whereby land or real property situated in no more than one county in this state is made security for the payment of a debt, together with such debt, shall be assessed and taxed to the owner of such security and debt in the county, city or district in which the land or real property affected by such security is situated. The taxes so assessed and levied on such security and debt shall be a lien thereon, and the debt, together with the security, may be sold for the payment of any taxes due thereon, in the same manner and with like effect that real property or land is sold for the payment of taxes.

Taxes, against whom levied

SEC. 3. For the purposes of assessment and taxation no

Manner of
assessment
for taxation

payment on any debt secured as hereinbefore mentioned in this act shall hereafter be taken into consideration by any assessor in this state, when assessing such debt and security as herein provided, unless such payment is endorsed in writing on the margin of the record of such security by the owner thereof, or his authorized agent, before the delivery by the county recorder to the board of equalization of the abstract of all unsatisfied mortgages and liens remaining on record in his office. And in all cases the assessor shall assess such debt and security for the full amount of such debt, that appears from the record of such security to be owing, unless in the judgment of the assessor the land or real property by which such debt is secured is not worth as many dollars as still appears unpaid of such debt, and then, in that case, he shall assess such debt and security at whatever sum he thinks to be their real cash value.

Duties of
county
recorders

SEC. 4. It is hereby made the duty of the several county recorders in this state to record in the margin of the record of all mortgages on land and real property, when requested so to do by the mortgagee or owner of the mortgage, all assignments thereof, or of the note or other evidence of debt thereby secured, and also all payments made thereon or the note or other evidence of debt secured thereby, and copies thereof certified by such recorder shall be received in evidence in all courts of this state with like effect as a certified copy of such mortgage. And all persons who now have mortgages recorded in this state, upon which partial payments have been made, are hereby allowed sixty days after this act takes effect to cause to be recorded in the recorder's office of the proper county such payments, with the dates thereof.

Taxation in
cases of
banks and
trust
companies

SEC. 5. Where any bank or trust company is assessed in this state upon its shares or capital stock, and such bank or trust company is the owner of mortgages or trust deeds assessed to it upon lands within this state, the amount or value of such mortgages or trust deeds shall be deducted from the amount which it is assessed upon its shares or capital stock; and such bank or trust company shall only be assessed upon such sum for its shares or capital stock after deducting the value of the mortgages or trust deeds owned by it.

Repeal

SEC. 6. All acts and parts of acts in conflict with this act are hereby repealed.

In effect

SEC. 7. This act shall be in full force and effect from and after its passage.

EXECUTIVE DEPARTMENT,
CARSON CITY, NEVADA, March 23, 1911.

To the Honorable the Secretary of State:

Assembly Bill No. 40—An act supplementary to an act entitled "An act to provide revenue for the support of the government of the State of Nevada, and to repeal certain acts relating thereto," approved March 23, 1891—having been retained by me for a period longer than five days (Sundays excepted) while the legislature was in session, has become a law without my signature by constitutional operation, and I herewith transmit the same to your office.

TASKER L. ODDIE, *Governor.*

CHAP. 171—*An act relating to contracts and patents for state lands, and matters pertaining thereto.*

[Approved March 24, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. All contracts made by the State of Nevada for the sale of lands may be renewed as now provided by law by the contractor, or by his or her successor in interest, or by the holder of or claimant under the original contract, or by the agent of such contractor, successor in interest, holder or claimant, regardless of whether the original contractor be living or dead; but, unless otherwise ordered by a court of competent jurisdiction, such new contract shall be made only in the name of the original contractor, and it shall be sufficient if the same be signed by such successor in interest, holder, claimant or agent. All rights under any new or renewed state land contract, by whomsoever heretofore or hereafter made, and regardless of whether the original contractor be or may have been living or dead at the time of the making thereof, and all rights under any patent issued under any new contract in the name of the original contractor, whether he be or may have been living or not at the time of the making of the contract or the issuance of the patent, shall inure to and become vested in him or her or in his or her heirs, devisees, assignees in interest, or other legal representatives, the same as if such contract had been renewed by the original contractor or such patent had been issued during the life of such deceased contractor.

Relating to
contracts
and patents
to state
lands

CHAP. 172—*An act providing for the appointment of road supervisors in counties polling three thousand votes or over, for the subdivision of said counties into road districts, and matters properly relating thereto, and to repeal all other acts and parts of acts in conflict therewith.*

[Approved March 24, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The county commissioners of each county in this state polling at the last general election three thousand votes or over, to be determined by the vote cast for secretary of state, shall, for the purpose of supervision of roads, divide the county into road districts, each appropriately designated.

SEC. 2. The board of county commissioners of said counties shall, at its first regular meeting in January, 1913, appoint and fix the compensation of one road supervisor in each road district, to serve during the pleasure of the board of county commissioners.

Road super-
visor in cer-
tain counties

Commis-
sioners to
appoint

Duties of
road
supervisors

SEC. 3. It shall be the duty of road supervisors appointed under the provisions of this act to supervise all work upon the roads in his district, to attest to the propriety and correctness of all bills for such work, and to direct the expenditures of all sums set apart for his district by the board of county commissioners; *provided*, that no bills shall be contracted nor any money expended by said road supervisor, unless he shall have first obtained the consent and approval of said board of county commissioners.

To take
official oath

SEC. 4. Each road supervisor appointed under the provisions of this act shall, before entering upon the duties of his office, take the oath prescribed by law, and execute a bond to the State of Nevada, to be approved by the board of county commissioners, in the penal sum of one thousand dollars; which bond shall be conditioned for the faithful performance of the duties of his office, and shall be filed in the office of the county clerk.

Repeal

SEC. 5. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

In effect

SEC. 6. This act shall take effect on the first day of January, 1913.

CHAP. 173—*An act authorizing the purchase and placing in the office of the clerk of the Supreme Court of the State of Nevada, steel filing-cases in which to place, store and file all the records and files of actions now being and contained in said office, and to properly catalogue all of said files and records before placing in said cases.*

[Approved March 24, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Filing-cases
for clerk of
supreme
court

SECTION 1. The board of capitol commissioners are hereby authorized and directed to purchase and install modern and improved steel filing-cases and such accessories thereto as will be necessary for the convenient use of the office of the clerk of the supreme court.

Files to be
catalogued

SEC. 2. Immediately after the installation and placing of said cases in said office, the clerk of the supreme court shall employ such assistance as he shall deem necessary to properly catalogue, number and place in said filing-cases the records and files of all actions now being and contained in said office.

Appropriation

SEC. 3. For the purpose of carrying out the provisions of this act, the sum of four thousand five hundred dollars is hereby appropriated out of any money in the state treasury of the State of Nevada, not otherwise specially appropriated.

Capitol
commissioners to act

SEC. 4. Immediately upon the approval of this act, the board of capitol commissioners are hereby required and directed to make provision for procuring and purchasing the filing-cases required hereunder.

CHAP. 174—*An act to amend an act entitled "An act to provide for a reorganization of the system of school supervision and maintenance, to repeal all acts and parts of acts in conflict therewith, and matters properly connected therewith," approved March 29, 1907.*

[Approved March 24, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section ninety-eight of said act is hereby amended to read as follows:

Section 98. Five educational districts are hereby established as follows: District Number 1, comprising Elko County; District Number 2, comprising White Pine, Lander, Eureka Counties; District Number 3, comprising Humboldt and Churchill Counties; District Number 4, comprising Washoe, Storey, Ormsby, Douglas, Lyon and Mineral Counties; District Number 5, comprising Lincoln, Nye, Clark and Esmeralda Counties. Educational districts reorganized

SEC. 2. This act shall take effect upon approval.

CHAP. 175—*An act to amend section two of an act entitled "An act in relation to public highways," approved March 9, 1866.*

[Approved March 24, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section two of the above-entitled act is hereby amended so as to read as follows:

Section 2. All work hereafter done upon highways, streets or alleys, whether in opening, improving, or keeping the same in repair, shall, when the probable cost of such contemplated work shall exceed five hundred dollars, be done by contracts let to the lowest responsible bidder, and public notice of at least five days shall be given, describing the work to be done, the time and place that bids will be received, and the means of paying for such work. Such bids shall be sealed, may all be rejected, and if any are accepted it shall be that of the lowest bidder who is responsible, or will give satisfactory security. In cases of emergency, it shall be discretionary with the board of commissioners to let contracts for repairs without giving the five days' notice as is contemplated in this section. But no contract shall be let for an amount to exceed five hundred dollars without written notice. Road and street work to be let by contract
Exception

CHAP. 176—*An act to amend section one of an act entitled "An act to provide for the destruction of noxious animals and to repeal an act relating thereto," approved February 3, 1887.*

[Approved March 24, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of said act is hereby amended so as to read as follows:

Bounty for
destruction
of certain
noxious
animals

Section 1. If any person shall take and kill within this state any of the following noxious animals, he shall be entitled to receive out of the treasury of the county within which such animals shall have been taken, the following bounties, to wit: For every coyote or prairie wolf, one dollar; for every lynx or wildcat, two dollars; for every mountain lion, five dollars, and for every badger, fifty cents, all of which bounties shall be subject to the provisions of this act; *provided*, that no person shall be entitled to apply for or receive bounty money for any number of scalps less than five at any one time.

CHAP. 177—*An act requiring railways to give public notice of live stock killed or injured by their locomotives or cars, providing a penalty for failing or neglecting to do so.*

[Approved March 24, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Railroads
must give
notice of
live stock
killed

SECTION 1. Every person, association or corporation operating a railway within this state that shall injure or kill any live stock of any description by the running of any engine or engines, car or cars, over or against any such live stock, shall within three days thereafter, post at the first railway station in each direction from the place of such injury or killing, a notice in writing in some conspicuous place on the outside of such stations, and file a duplicate with the county clerk of the county in which the stock is injured or killed, which notice shall contain the number and kind of animals so injured or killed, and a full description of each, with the time and place, as near as may be, of such injury or killing, and shall be dated and signed by some officer or agent of such person, association or corporation operating such railway.

Penalties
for non-
compliance

SEC. 2. Every person, association or corporation that shall fail, neglect or refuse to comply with the provisions of this chapter shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not exceeding one hundred dollars (\$100).

CHAP. 178—*An act appropriating fifty dollars out of the legislative fund of the twenty-fifth session of the Nevada legislature, to be paid to M. Farrell, porter of the senate, and Richard Smith, porter of the assembly, for cleaning and putting in order the legislative chambers after adjournment of said twenty-fifth session.*

[Approved March 24, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of fifty dollars is hereby appropriated out of the legislative fund of the twenty-fifth session of the Nevada legislature, of which twenty-five dollars is to be paid to M. Farrell, porter of the senate, and twenty-five dollars to be paid to Richard Smith, porter of the assembly, for cleaning and putting in order the legislative chambers after adjournment of said twenty-fifth session.

Porters of senate and assembly for cleaning up chambers

SEC. 2. The state controller is hereby directed to draw his warrant in favor of the persons above named for the amounts specified in this act, only upon the certificate of the secretary of state that the legislative chambers have been cleaned and put in order, and the state treasurer is hereby directed to pay the same.

Duties of controller and treasurer

CHAP. 179—*An act to amend section 379 of an act entitled "An act to regulate proceedings in civil cases in the courts of justice of this state and repeal all other acts in relation thereto," approved March 8, 1869, as amended and approved February 20, 1881, as amended and approved March 6, 1897.*

[Approved March 24, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section three hundred and seventy-nine of said act is hereby amended so as to read as follows:

Section 379. No person shall be allowed to testify under the provisions of sections three hundred and seventy-six and three hundred and seventy-seven, when the other party to the transaction is dead, or when the opposite party to the action, or the person for whose immediate benefit the action or proceeding is prosecuted or defended is the representative of a deceased person, when the facts to be proven transpired before the death of such deceased person; *provided*, that when such deceased person was represented in the transaction in question by an agent who is living, and who testifies as a witness in favor of the representative of such deceased person, or when persons other than the parties to the transaction, and claiming to have been present when the transaction took place, testify

Certain testimony not allowed when opposing party is dead

Proviso

Additional
proviso

as witness or witnesses in favor of the representative of such deceased person; in all such cases the party may also testify in said action or proceeding or in relation to the transaction in question, and nothing contained in this act shall affect the laws in relation to attestation of any instrument required to be attested; *and provided further*, that when husband or wife is insane and has been so declared by a commission of lunacy, or in due form of law, the other shall be a competent witness to testify as to any fact which transpired before or during such insanity, but the privilege of so testifying shall cease on the restoration to soundness of mind of the insane husband or wife, unless upon the consent of both, in which case they shall be competent witnesses.

CHAP. 180—*An act to amend an act entitled "An act to provide for the publication of the decisions of the supreme court of the State of Nevada and such other official advertising as is required by the state," approved March 29, 1907.*

[Approved March 24, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of said act is hereby amended so as to read as follows:

Newspapers
at Carson
City to do
official
advertising
and publish
supreme
court
decisions

Section 1. The state board of examiners shall, within ten days after the approval of this act, select two daily newspapers, published at the state capital, in one of which all advertising required by the State of Nevada, shall be published; *provided*, the expense of said publication shall not exceed the sum of one hundred dollars (\$100) per month, and in the other said newspaper so selected shall be published all the decisions of the supreme court of the State of Nevada, each decision in two successive issues of the paper, within ten days after a copy of such decision shall have been delivered to the publisher of said newspaper by the clerk of the supreme court, and the publisher shall, within two days after the publication of such decision, furnish four hundred printed copies thereof to the clerk of the supreme court; *provided*, that the expense of such publication and extra copies furnished said clerk shall not exceed the sum of one hundred and twenty-five (\$125) per month; the claims for which advertising and the publication of such supreme court decisions shall be paid monthly out of any moneys in the state treasury not otherwise appropriated, for the purposes of carrying out the provisions of this act.

Appropriations

SEC. 2. The sum of five thousand four hundred dollars (\$5,400) is hereby appropriated out of any money in the state treasury not otherwise appropriated to carry out the provisions of this act.

SEC. 3. All acts and parts of acts in conflict with this act Repeal
are hereby repealed.

CHAP. 181—*An act fixing the fees and mileage of witnesses in criminal cases in the district courts of Humboldt, Esmeralda, Eureka, Mineral, Elko counties, State of Nevada, providing payment therefor, and repealing an act entitled "An act fixing the fees and compensation of witnesses in criminal cases in and for the county of Humboldt and providing payment therefor," approved March 20, 1907.*

[Approved March 24, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. All witnesses subpoenaed in criminal cases to appear before the district courts of the counties of Humboldt, Esmeralda, Eureka, Mineral, Elko, State of Nevada, shall receive as fees two and one-half dollars per diem, from the date of their appearance at court (as per subpoena) until excused. The clerk of each of said courts shall keep a payroll enrolling therein all names of witnesses, the number of days in attendance and the actual number of miles traveled by the most practical route in coming to and returning from said court, for which such witnesses shall receive ten cents for each mile so traveled. The clerk of each of said courts shall forthwith give a statement of such amount to the county auditor of his respective county who shall draw warrants upon the county treasurer for the payment of such witnesses; *provided, however*, that not more than two witnesses shall be subpoenaed to prove the same fact, at the expense of the county, and that the judge before whom the hearing or trial is had shall certify at the conclusion of the testimony of said witnesses that the testimony of said witnesses was material and relevant to the matter tried.

Fees and mileage for criminal witnesses in certain counties

Provido

SEC. 2. An act entitled "An act fixing the fees and compensations of witnesses in criminal cases in and for the county of Humboldt, and providing payment therefor," approved March 20, 1907, and all acts and parts of acts in conflict with this act are hereby repealed.

Repeal of previous act

CHAP. 182—*An act to amend section three of an act entitled "An act to provide for the appointment of notaries public, and defining their duties," approved February 9, 1861.*

[Approved March 24, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section three of said act is hereby amended to read as follows:

Oath of
notary
public

Section 3. The bond, together with his oath of office, shall be filed and recorded in the office of the county clerk of said county.

CHAP. 183—*An act determining certain employments and industries to be especially dangerous, establishing a system of compensation for accidents to workmen engaged therein, requiring employers or contractors carrying on such industries to pay compensation, entitling injured workmen or their legal representatives to receive such compensation, fixing the amount of same and the manner of payment, fixing the time within which claims for compensation must be made, prescribing the manner and method of giving notice to such owner or contractor of such accident, providing for the manner of settling disputed claims by arbitration, providing for their final determination by courts of justice, and granting to courts of justice certain additional powers in proceedings under this act, determining what persons shall be liable under this act.*

[Approved March 24, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Employee in
hazardous
callings to
receive com-
pensation for
injuries; in
case of death
legal repre-
sentative to
receive com-
pensation

SECTION 1. If in any employment to which this act applies personal injury disabling a workman from his regular service for more than ten days, or death by accident, arising out of and in the course of employment is caused to a workman, the workman so injured, or in case of death, the member of his family, as hereinafter defined, shall be entitled to receive from his employer, and the said employer shall be liable to pay, the compensation provided for in this act; *provided*, that recovery hereunder shall not be barred where such employee may have been guilty of contributory negligence where such contributory negligence is slight and that of the employer is gross in comparison, but in which event the compensation may be diminished in proportion to the amount of negligence attributable to such employee, and it shall be conclusively presumed that such employee was not guilty of contributory negligence in any case where the violation of any statute enacted for the safety of employees contributed to such employee's injury; and it shall not be a defense: (1) That the employee either expressly or impliedly assumed the risk of the hazard complained of; (2) That the injury or death was caused in whole or in part by the want of ordinary or reasonable care of a fellow-servant. No contract, rule or regulation shall exempt the employer from any of the provisions of the preceding section of this act.

SEC. 2. "Employer" includes any body of persons corporate or incorporate and the legal personal representative of a

deceased employer. "Workman" includes every person who is engaged in an employment to which this act applies, whether by way of manual labor or otherwise, and where his agreement is one of service or apprenticeship or otherwise, and is expressed or implied, is oral or in writing. Any reference to a workman who has been injured shall, where the workman is dead, include a reference to his legal personal representative or to his dependents or other person to whom compensation is payable. "Dependents" means wife, father, mother, husband, sister, brother, child or grandchild; *provided*, that they were wholly or partly dependent upon the earnings of the workman at the time of his death.

Terms
defined

SEC. 3. This act shall apply to workmen engaged in manual or mechanical labor in the following employments within this state, each of which is hereby determined to be especially dangerous, in which from the nature, condition or means of prosecution of the work therein, extraordinary risks to the life and limb of workmen engaged therein are inherent, necessarily or substantially unavoidable, and to each of which employments it is deemed necessary to establish a new system of compensation for accidents to workmen.

Hazardous
callings
enumerated

(a) The erection or demolition of any bridge or building in which there is, or in which the plans or specifications require iron or steel framework;

(b) The operation of elevators, elevating machines or derricks or hoisting apparatus used within or on the outside of any bridge or building for the conveying of material in connection with the erection or demolition of such bridge or building;

(c) Work on scaffolds of any kind elevated twenty feet or more above the ground, water or floor beneath, in the erection, construction, painting, alteration or repair of buildings, bridges or structures;

(d) Construction, operation, alteration, or repair of wires, cables, switchboards or apparatus charged with electric currents;

(e) The operation on railroads of locomotives, engines, trains, motors or cars propelled by gravity, steam, electricity or other mechanical power, or the construction or repairs of railroad tracks and roadbeds over which such locomotives, engines, trains, motors, or cars are operated;

(f) Construction, operation, alteration, or repairs of locomotives, engines, trains, motors or cars in or about the shops, round-houses, or other places, where the same is done;

(g) Construction, operation, alteration or repairs to mills, smelters or mines, including every shaft or pit in the course of being sunk, and every crosscut, drift, station, winze, level or inclined planes through which workmen pass to and from work, and all works, machinery, tramways, ladders or passages, both below ground and above ground, in and adjacent to any mine;

(h) All work necessitating dangerous proximity to gunpowder, blasting powder, dynamite or any other explosives, where the same are used as instrumentalities of the industry;

(i) The construction of tunnels.

The employers to whom this act shall apply shall be any person or persons, association, partnership or corporation carrying on any such industry as aforesaid.

Prompt
notice of
accidents to
be given
employers

SEC. 4. Notice of accidents must be given to the employer as soon as practicable after the happening thereof, and the claim for compensation with respect to such accident within six months from the occurrence of such accident causing the injury, or in case of death, within six months from the time of death; *provided, always*, that the want of, or any defect or inaccuracy in, such notice shall not be a bar to the maintenance of such proceedings if it is found in the proceedings for settling the claim that the employer is not prejudiced in his defense by the want, defect or inaccuracy, and that such want, defect or inaccuracy was occasioned by mistake or other reasonable cause. Notice in respect of an injury under this act shall give the name and address of the person injured, and shall state in ordinary language the cause of the injury, if known, the date at which it was sustained, and shall be served on the employer, or, if there is more than one employer, upon one of such employers. The notice may be served by delivering the same to or at the residence or place of business of the person upon whom it is to be served, or the notice may also be served by post, by a registered letter addressed to the person on whom it is to be served at his last known place of residence or place of business, and if served by post shall be deemed to have been served at the time when the letter containing the same would have been delivered in the ordinary course of post, and in proving the service of such notice it shall be sufficient to prove that the notice was properly addressed and registered. Where the employer is a body of persons, natural or artificial, the notice may also be served by delivering the same at, or by sending it by post in a registered letter addressed to the employer at the office, or, if there be more than one office, any one of the offices of such body.

Notice, how
served

SEC. 5. The amount of compensation in case death results from injury, or for death accruing within five years as a result of injury, shall be:

Amount of
compensation,
how
determined
in case of
death

(a) If the workman leave any person or persons who at the time of the accident were wholly dependent upon his earnings, a sum equal to his earnings in the employment of the same employer during the three years next preceding the injury, or the sum of two thousand dollars, whichever of these sums is the greater, but not exceeding in any case three thousand dollars; *provided*, that the total sum of any weekly payments made under this act shall be deducted from such sum; and if the period of the workman's employment by the

same employer has been less than the said three years, then the amount of his earnings during the said three years shall be deemed to be nine hundred and thirty-six times his average daily earnings during the period of his actual employment under the same employer;

Compensation, how determined

(b) If the workman leave only person or persons who at the time of the accident were partly dependent upon his earnings, a sum equal to 50 per cent of the amount payable under the foregoing provisions of this section;

(c) If the workman leave no person at the time of the accident who was dependent upon his earnings, the reasonable expenses of his medical attendance and burial, not exceeding in all three hundred dollars.

Whatever sum is payable under this section in case of death of the injured workman shall be paid to his legal representatives for the benefit of such dependents, and if he leaves no such dependents, then to the public administrator, for the benefit of the person or persons to whom the expenses of medical attendance and burial are due.

Sec. 6. The amount of compensation in case of total or partial disability resulting from injury shall be:

Amount of compensation, how determined in temporary or permanent injury

(a) A weekly payment during the disability, beginning within ten days after the injury, 60 per cent of his average weekly earnings in such employment during the previous twelve months if he has been so long employed, but if not, then for any less period during which he has been in the employment of the same employer, so long as there is complete disability; and that proportion of the said percentage which the depleted earning capacity for that service bears to the total disability when the injury is only partial, but in no event shall the total of all payments under this act exceed the sum of three thousand dollars;

(b) In addition to the foregoing payments, if the injured person lose both feet or both hands, or one foot and one hand, or both eyes or one eye and one foot or one hand, he shall receive, during a full period of five years, 40 per cent of his average weekly earnings, or if he lose one foot, one hand or one eye, the additional compensation therefor shall be 15 per cent of his average weekly earnings, the amount of such earnings to be computed in the same manner as the foregoing 60 per cent; *provided*, that in no case shall all the payments received herein exceed in any month the whole wages earned when the injury occurs, nor shall the added percentages continue longer than to make all payments aggregate three thousand dollars.

Sec. 7. Any workman entitled to receive weekly payments under this act is required, if requested by the employer, to submit himself for examination by a duly qualified medical practitioner or surgeon provided and paid for by the employer, at a time and place reasonably convenient for the workman, within three weeks after the injury, and thereafter at inter-

Employee must submit to physical examination when requested

vals not oftener than once in six weeks. A copy of the report of the examining physician shall be furnished to the workman. If a dispute then exists as to the workman's condition or amount of weekly compensation such dispute shall be determined by arbitration under this act, or by judicial procedure as hereinafter provided; *provided, also*, that any and all disputes arising under this act may be first submitted to a board of arbitration, and in case of failure to settle it, resort may be had to courts of justice.

Arbitration,
how
conducted

SEC. 8. Arbitration proceedings shall be as follows: The employer and the workman may each choose one arbitrator, the two arbitrators thus chosen shall choose a third, and the three arbitrators shall hear the facts of the dispute within three months after having been chosen, and within two weeks thereafter, render a decision, which, if unanimous, shall be final and binding on both parties.

Failure of
arbitration,
court
proceedings

SEC. 9. On failure of the board of arbitration to reach an adjustment of the dispute above referred to, either party may apply to a court of competent jurisdiction, and have an adjudication as in any other controversy. And the findings and judgment of the court shall be conclusive on all parties concerned. Said courts may compel the attendance of witnesses and the production of evidence, as in all other cases provided for by law, and the judgment of said court may continue and diminish or increase the weekly payments, subject to the maximum provided in this act. The prevailing party in any action, brought under the provisions of this act, shall be entitled to his costs of suit and reasonable attorney's fees; *provided*, that nothing in this act shall operate to defeat the constitutional right of appeal.

Employer
responsible
for con-
tractor or
subcon-
tractor

SEC. 10. If any employer who shall be the principal, enters into a contract with an independent contractor to do part of such employer's work, or if such contractor enters into a contract with a subcontractor to do all or any part of the work comprised in such contractor's contract with the employer, the said principal shall be liable to pay to any workman employed in the execution of the work, any compensation under this act, which he would have been liable to pay if that workman had been immediately employed by him; and where compensation is claimed from the principal, then reference to the principal shall be substituted for reference to the employer, except the amount of compensation shall be calculated with reference to the earnings of the workman under the contractor or employer by whom he is immediately employed. Where such principal is liable to pay compensation he shall be entitled to be indemnified by any person who would have been liable to pay compensation to the workman independently of this section. Nothing in this section shall be construed as preventing a workman from recovering compensation under this act, from the contractor or subcontractor, instead of the principal; nor shall this section apply

in any case where the accident shall occur elsewhere than on or in or about the premises on which the principal has undertaken to execute the work or which are otherwise under his control or management.

SEC. 11. Nothing in this act contained shall be held or deemed to require any workman or his personal representatives to proceed under its terms and provisions for the recovery of compensation of damages for death or accidental injury. But if the workman or his personal representatives shall so elect, he or they may disregard the provisions of this act and may pursue any other remedy at law for the recovery of such compensation of damages for or on account of such death or injury. The right of election or choice of remedies shall be exercised solely by such workman or his representatives.

Employee not compelled to proceed against employer

SEC. 12. A claim for compensation for the injury or death of any employee or any reward or judgment entered thereon shall be entitled to a preference over the other debts of the employer if and to the same extent as the wages of such employee shall be so preferred, but this section shall not impair the lien of any judgment entered upon any award.

Claim for compensation preferred debt

SEC. 13. The making of a lawful claim against an employer for compensation under this act for the injury or death of his employee shall operate as an assignment of any assignable cause of action in tort which the employee or his personal representative may have against any other party for such injury or death, and such employer may enforce in his own name the liability of such other party.

Assignment, when claim becomes legal

SEC. 14. Nothing in this act contained shall be construed as impairing the right of parties interested after the injury or death of an employee to compromise or settle upon such terms as they may agree upon any liability which may be claimed to exist under this act on account of such injury or death, nor as conferring upon the dependents of any injured employee any interest which he may not divert by such settlement or for which he or his estate shall in the event of such settlement by him be accountable to such dependents or any of them.

Claims may be compromised

SEC. 15. This act shall take effect July 1, 1911.

In effect

CHAP. 184—*An act to amend an act entitled "An act to create the office of road inspector, and to provide for work on public roads and to limit the compensation therefor," approved February 27, 1897.*

[Approved March 24, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section six of the above-entitled act is hereby amended so as to read as follows:

Payment for
work on pub-
lic roads

Section 6. Compensation to others than road inspector shall be not to exceed three dollars for a day's work on the public roads by one man, or not to exceed six dollars by one man and a span of two draft animals, and one dollar and fifty cents additional for each such additional span. The person so compensated shall, without additional charge, furnish such tools, implements, vehicle, and other necessary equipment, as may be necessary in his work.

CHAP. 185—*An act to amend an act entitled "An act supplementary to an act entitled 'An act to create a board of county commissioners in the several counties of the state, and to define their duties and powers,' approved March 8, 1865," approved February 19, 1867.*

[Approved March 24, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of the above-entitled act is hereby amended so as to read as follows:

County com-
missioners to
advertise for
bids for all
work costing
over \$500

Section 1. In letting all contracts of any and every kind, character, and description whatever, where the contract in the aggregate exceeds the sum of five hundred dollars, the county commissioners shall advertise such contract or contracts to be let, stating the nature and character thereof—and when plans and specifications are to constitute part of such contract, it shall be stated in the notice where the same may be seen—in some newspaper published in their county, for the period of thirty days; in case the contract be for constructing any public building, then the advertisement shall be in that paper published in the county which is nearest the selected location for such building; and in case there shall be no newspaper published in their county, then by posting notices of the same in five of the most conspicuous and public places in their county for the same period of time. All such contracts shall be let to the lowest responsible bidder, subject to the provisions of the twenty-third section of the act to which this is supplementary; *provided*, that the provisions of this act shall not

Proviso

apply to contracts for the construction or repair of bridges, highways, streets or alleys where the same conflicts with other acts in relation to bridges, highways, streets or alleys.

CHAP. 186—*An act to amend sections three and five of an act entitled "An act in relation to erection and maintenance of bridges," approved February 21, 1877.*

[Approved March 24, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section three of the above-entitled act is hereby amended so as to read as follows: Relating to bridge work

Section 3. No bridge shall be constructed or repaired except on the order of the board of county commissioners, or unless a petition as provided for in section four of this act be filed. When the cost of construction or repair of any bridge will not exceed the sum of five hundred dollars, the board of county commissioners shall have the power to let a contract for such construction or repair without advertising or otherwise calling for bids therefor. When the cost of such construction or repair shall exceed the sum of five hundred dollars the contract therefor shall be let to the lowest responsible bidder after notice given by the board of county commissioners, in a county newspaper, for a period of at least two and not more than four weeks' publication, and if there be no such newspaper, then by three posted notices—one at the court-house, one at the point to be bridged, and one at some other neighboring public place. The bids must be sealed, opened, and the contract awarded at the time specified in the notice; *provided*, that the board of county commissioners shall have the right to reject any and all bids, in which event new notice shall be given in manner and form as above set forth. The contract and bond to perform the work must be entered into and approved by the board of county commissioners. Commissioners must advertise for bids, when

SEC. 2. Section five of the above-entitled act is hereby amended so as to read as follows:

Section 5. On the day fixed to hear the application, proof of the notice given being made satisfactory, the board must hear the petition, examine witnesses, and determine whether or not a bridge is necessary to be constructed or repaired as petitioned for. If found necessary, the board must determine the character of bridge to be constructed or repairs to be made, prepare plans and specifications, invite bids or otherwise let the contract for the construction or repair of same as in this act provided. Commissioners to decide as to necessity for and character of bridge

CHAP. 187—*An act to provide for the registration of the names of electors and to prevent fraud at elections in certain incorporated cities within the State of Nevada, providing certain penalties and other matters properly appertaining thereto.*

[Approved March 24, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Additional
regulations
in registra-
tion of
voters

SECTION 1. The county commissioners of the several counties shall provide for the registry agents, as now constituted by law, in their respective counties, when and where required all proper and necessary books and stationery to carry out the provisions of this act. They shall furnish to each registry agent whose duty it is to register the electors in any incorporated city within the State of Nevada, polling more than two thousand votes at the last preceding general election, a book to be known as the "Official Register," which shall be ruled in columns of suitable dimensions to provide for the following entries opposite the name of each elector, to wit: First—Number on the register. Second—Date of registry. Third—Name of elector. Fourth—Age of elector. Fifth—Where born. Sixth—Number of ward or name of electoral district. Seventh—Description of residence. Eighth—Certificate of naturalization exhibited. Ninth—Signature of the elector. Tenth—Number of identification statement. Each column shall be so marked by printed or written words at the top thereof on each page of such official register as to indicate the nature of the entries to be made therein. Such official register shall be in such number of volumes as shall equal the number of voting or polling-places in such incorporated city.

Signature of
elector

Provided

Questions to
be answered
by elector
unable to
write

SEC. 2. In registering electors in any such incorporated city as mentioned in section one of this act, it shall be the duty of the registry agent to make the appropriate entries in each column of such official register, except in the ninth column, and in said ninth column it shall be the duty of the registry agent to procure from the elector his signature by having the elector sign therein his name in ink or indelible pencil; and the elector shall, with his own hand and without assistance, using an indelible pencil or ink, sign his name; *provided*, that if the elector alleges his inability to so sign, the registry agent shall read to the elector the following questions from a book to be furnished by the county commissioners and to be known as "Identification Statements for Registration Day," and said registry agent shall write down in said book the answers of the elector to said questions, each answer being written after the question to which it is an answer. Said questions so read shall be the following: What is your name? What is or was your father's full name? What is or was your mother's full name? What is your occupation? What is the

name of your present employer? If unemployed, what is the name of your last employer? Where is or was his place of business? Are you married or single? Where did you actually reside immediately prior to taking up your present residence? At the bottom of each list of questions shall be printed the following statement: "I certify that I have read to the above-named elector each of the foregoing questions and that I have truly recorded his answers as above to each of said questions," and said registry agent, who has made the above record, shall forthwith sign his name to said certificate and date the same. The above questions shall be printed on separate sheets of paper which shall be furnished said registry agent, bound together in book form and numbered consecutively, and the number corresponding to the number consecutively, and the number corresponding to the number on each sheet, containing said list of questions shall be entered, when questions have been answered, in the tenth column in the official register of electors. Said book of identification statements shall be kept at all times by the registration agent or other proper officer or officers with the said official register.

Registry agent to sign his own name

SEC. 3. Each of said registration agents shall cause such registrations of electors and said questions for identification to be so kept that the same shall be in form to be transmitted to the inspectors of elections, and all the electors registering shall be classified according to the polling or voting places at which they are each respectively entitled to vote, and all electors entitled to vote at any particular polling-place in the same book, or have the questions put to them recorded in one book or bound together in such manner as the registry agent shall determine, and no electors entitled to vote at different polling-places shall be registered in the same book. And no change shall be made in polling-places which in anywise interferes with the purposes of this act.

Said questions and answers transmitted to election board

SEC. 4. In addition to the books now required by law to be delivered by registry agents to the inspector or inspectors of elections, the registry agent shall deliver not later than the day preceding that on which the election is to be held, to some one of the inspectors of election in each polling or voting place in any such incorporated city, the original official register containing the names and original signatures of all electors registered and entitled to vote at such polling-place, together with the original or true and certified copies of the identification statements for all electors entitled to vote at such polling-place, if any there be.

Original official register delivered to election board

SEC. 5. If any elector registered under the provisions of this act shall transfer to any other incorporated city mentioned in section one thereof, or if any duly registered elector shall transfer to any such incorporated city, after the closing of registration, and shall demand his right to vote at the election and shall, by reason of such transfer, not be able to be identified thereat by his signature taken at the time of registering as pro-

Oath to swear in vote, when

vided in this act, or by said identification statements, he shall, if his right to vote be challenged or questioned, before being given a ballot, prove to the satisfaction of the inspector or inspectors of election, by the oath of two qualified electors, that he is the same person who so registered in said other voting precinct and has been transferred and is mentioned in said certificate of transfer, which oath shall be reduced to writing and by the elector subscribed and sworn to before one of the inspectors of election, who shall also sign his name thereto in a book to be known as the "Transfer Book," which shall be kept in the same manner as the other election books.

Signature
of voter at
polls, when

Alternative
action of
voter when
unable to
sign

Identifica-
tion
certificate

Election
clerk to sign
statement,
when

Comparison
of signatures

SEC. 6. At any and all elections hereafter to be held in any such incorporated city, if any person except as provided by section 5 demanding the right to vote shall be challenged, or his right to vote be questioned, he shall, before receiving a ballot, sign his name by his own hand and without assistance, using an indelible pencil or ink, in a book provided by the inspectors of elections and to be known as the "Signature Book" and to be so labeled in printed or written words in ink, together with the name and description of the polling-place. If the elector on election day alleges his inability to so sign, then one of the election clerks, to be designated by the chairman of the election board or chairman of the inspectors of elections, if there be a chairman, if not then by any inspector of elections for such polling-place, shall read the same list of questions to the elector as were required to be read at the time of registration from a book to be provided for election day, and to be known as "Identification Certificates for Election Day," and said clerk shall write the answers of the elector thereto. Each of these questions shall be numbered, and a number corresponding to the number on the statement sheet shall be entered opposite the name of the elector in the index book now provided for by law. The questions answered on registration day by the elector shall not be turned to until all the answers to said questions shall have been written down on election day by said election clerk. Any person who shall prompt a voter in answering any questions provided for in this act shall be guilty of a felony, and upon conviction shall be imprisoned in the penitentiary for not more than two years. At the bottom of each list of questions provided to be asked an elector on election day shall be printed or written the following statement: "I certify that I have read to the above-named elector each of the foregoing questions and that I have truly recorded his answers as above to each of said questions," and said election clerk who has made the said record shall sign his name to the said certificates and date the same, and note the time of day of making such record. The comparison of signatures of an elector made on registration and election days, or the comparison of the answers made by an elector on registration and election days shall be had in full view of watchers, and the right to challenge electors shall exist until the ballot shall have been

deposited in the ballot-box. If the signatures or answers, as the case may be, made upon registration day do not correspond, in the judgment of a majority of the inspectors of elections, then the person so offering to vote shall not be entitled to a ballot. And that shall be the only test as to whether the person offering to vote is the same person who registered under the name offered to be voted by such person so offering to vote. No other identification of electors shall be necessary nor permitted.

SEC. 7. All acts and parts of acts in conflict herewith are hereby repealed. Repeal

SEC. 8. This act is intended to be supplemental to an act entitled "An act to provide for the registration of the names of electors and to prevent fraud at elections," approved March 5, 1869, and of all acts amendatory thereof or supplemental thereto. This act supplementary to previous act

CHAP. 188—*An act to regulate the hours of work or labor of men employed or working on or about the surface of underground mine workings, and providing for the punishment of violations of this act.*

[Approved March 24, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The number of hours of work or labor of mechanics, engineers, blacksmiths, carpenters, top men, and all working men employed or working on or about the surface or surface workings of any underground mine workings, shall not exceed eight (8) hours in any period of twenty-four (24) hours, except in cases of emergency where life or property is in imminent danger. Eight hours legal day's work for surface employees of mines

SEC. 2. Any person who violates any of the provisions of this act, or any person, corporation, employer or agent who hires, contracts with, or in any manner causes or induces any person to work or labor on or about the surface or surface workings of any underground mine workings for more than eight (8) hours in any period of twenty-four (24) hours, except in cases of emergency where life or property is in imminent danger, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than one hundred (\$100) dollars nor more than five hundred (\$500) dollars, or by imprisonment in the county jail for not longer than six months, or by both such fine and imprisonment. Penalties

SEC. 3. This act shall take effect and be in force thirty days from and after its passage and approval. In effect April 24, 1911

CHAP. 189—*An act to amend section 1 of "An act to regulate the fees and compensation of the county clerk of Washoe County, State of Nevada, and to repeal all other acts or parts of acts in conflict herewith," approved March 23, 1909.*

[Approved March 25, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of the above-entitled act is hereby amended so as to read as follows:

Salary of
county clerk
of Washoe
County

Section 1. The county clerk of Washoe County, State of Nevada, shall receive a salary of three thousand dollars per annum, payable in equal monthly installments, in full payment for all official duties and services performed and rendered by him; and he is authorized to appoint one deputy who shall receive a salary of eighteen hundred dollars per annum, payable in equal monthly installments, and two deputies, each to receive twelve hundred dollars per annum, payable in equal monthly installments. This act shall be effective from and after the first day of January, 1913. All acts and parts of acts in conflict with this act are hereby repealed.

In effect
January 1.
1913

CHAP. 190—*An act to amend section thirty-six of an act entitled "An act providing for the incorporation of cities, their classification, the establishment and alteration of their boundaries, the government and disincorporation thereof, and repealing all acts and parts of acts in conflict therewith," approved March 27, 1907.*

[Approved March 25, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section thirty-six of an act entitled "An act providing for the incorporation of cities, their classification, the establishment and alteration of their boundaries, the government and disincorporation thereof, and repealing all acts and parts of acts in conflict therewith," approved March 27, 1907, is hereby amended so as to read as follows:

Amending
general act
for incorpo-
ration of
cities

City officers
provided for

Section 36. In addition to the mayor and city council, there may be elected in each city a city clerk, a city treasurer and a judge of the municipal court; and, also, in cities of the first and second class, a city attorney and city auditor. In cities of the third class the mayor may, at his discretion, by and with the consent of the city council, appoint a city marshal, who shall hold office at the pleasure of the mayor and council. All

elective officers shall hold their respective offices for two years and until their successors are elected and qualified.

SEC. 2. All acts or parts of acts in conflict with this act Repeal are hereby repealed.

CHAP. 191—*An act to amend an act entitled "An act to regulate railroads, telegraph and telephone companies and other common carriers in this state, creating a railroad commission, constituting the governor, the lieutenant-governor and the attorney-general a railroad board for the appointment and the removal of the railroad commissioners, prevent the imposition of unreasonable rates, prevent unjust discrimination, insure an adequate railway service and fixing maximum freight charges," approved March 5, 1907, and amended March 20, 1909.*

[Approved March 27, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section eight of an act entitled "An act to regulate railroads, telegraph and telephone companies and other common carriers in this state, creating a railroad commission, constituting the governor, the lieutenant-governor and the attorney-general a railroad board for the appointment and removal of the railroad commissioners, prevent the imposition of unreasonable rates, prevent unjust discrimination, insure an adequate railway service, and fixing maximum freight charges," approved March 5, 1907, and as amended March 20, 1909, is hereby amended so as to read as follows:

Amended
railroad
commission
law

Section 8. Nothing herein shall prevent the carriage, storage, or handling of freight free or at reduced rates for the United States, the state or any political subdivision thereof, or any municipality thereof, or for charitable purposes, or to and from fairs and expositions for exhibition thereat, or household goods and supplies, the property of employees, or the issuance of mileage, commutation, or excursion passengers' tickets; provided, that the same shall be obtainable by any persons applying therefor, without discrimination, or of party tickets; provided, that the same shall be obtainable by any person applying therefor under like circumstances and conditions. This act shall not be construed as preventing railroads from giving free transportation or reduced rates therefor to any minister of the gospel, constable in any county of the state, officer or agent of incorporated colleges, college professors, school teachers, students attending institutions of learning, regular agents of charitable societies when traveling upon the business of the society only, destitute or homeless persons, railroad officers, attorneys, directors, employees or members of their families, or bona fide ex-railroad employees of any steam or electric

Certain
freight may
be carried
free

Passes
allowed to
certain
persons

railroad in search of employment, or to prevent the exchange of passes with officers, attorneys, or employees of other railroads and members of their families.

Attendants
allowed on
stock trains

(a) Upon any shipment of live stock or other property of such nature as to require the care of an attendant, the railroad may furnish to the shipper, or some person or persons designated by him, free transportation for such attendant, including return passage to the point at which the shipment originated; *provided*, that there shall be no discrimination in reference thereto between such shippers, and the commission shall have power to prescribe regulations in relation thereto.

CHAP. 192—*An act providing for the disposition of poll-tax collections.*

[Approved March 27, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Poll tax
applied to
road work:
counties to
furnish
receipts

SECTION 1. From and after the passage of this act all money received from poll-tax collections shall be by the county commissioners of the various counties of this state set aside for the exclusive use of the different road districts, of the several counties, according to the amounts collected in the various road districts and all receipts for poll taxes shall hereafter be furnished by the respective counties instead of the state controller and all poll-tax receipts shall be signed by the county assessor.

CHAP. 193—*An act to amend an act entitled "An act to regulate railroads, telegraph and telephone companies and other common carriers in this state, creating a railroad commission, constituting the governor, the lieutenant-governor, and the attorney-general a railroad board for the appointment and the removal of the railroad commissioners, prevent the imposition of unreasonable rates, prevent unjust discrimination, insure an adequate railway service and fixing maximum freight charges," approved March 5, 1907, as amended March 20, 1909.*

[Approved March 27, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of the above-entitled act is hereby amended so as to read as follows:

Amending
railroad
commission
law

Section 1. A railroad commission is hereby created, to be composed of three commissioners. The governor, the lieutenant-governor, and the attorney-general shall constitute a railroad

board for the purpose of appointing such commissioners. ^A Amending
railroad
commission
law majority of the members of said railroad board may perform all the duties required of such board. Within thirty days after the passage of this act the railroad board shall appoint such commissioners and designate the term of each, and they shall hold until their successors are appointed. The term of one such appointee shall terminate on the first Monday in February, 1909; the term of the second such appointee shall terminate on the first Monday in February, 1910; and the term of the third such appointee shall terminate on the first Monday in February, 1911. On the second Monday in January, 1909, and annually thereafter, there shall be appointed, in the same manner, one commissioner for the term of three years from the first Monday in February of such year. Each commissioner so appointed shall hold office until his successor is appointed and qualified. Any vacancy shall be filled by appointment by the railroad board.

(a) One commissioner, who shall be designated as chief Chief com-
missioner commissioner and shall be chairman of the commission, shall be an attorney at law, and well versed in the law of railroad regulation; one to be designated as first associate commissioner Associate
commis-
sioner shall be a practical railroad man familiar with the operation of railroads generally; the third, to be designated as the second associate commissioner, shall be a business man having a general knowledge of fares and freights, tolls and charges, as levied by the railroads, and all common carriers included within the term "railroad" as defined in this act. Each commissioner, as herein designated, shall have an equal voice and vote upon all questions whereon the commission is required to or may act as a body. A majority of said commission shall have full power to act in all matters within its jurisdiction, and in the event of two of the commissioners being disabled or disqualified from acting, or in the event of there being two vacancies at the same time in the commission, the remaining commissioner shall have power to do all the acts and things which a majority of the commission might do, and his official acts shall stand as the acts of the commission. At no time shall more than two of said commissioners be members of the same political party.

(b) The railroad board may at any time remove any commissioner for any inefficiency, neglect of duty, or malfeasance in office. Before such removal it shall give such commissioner a copy of the charges made against him and shall fix a time when he can be heard in his own defense, which shall not be less than ten days thereafter, and said hearing shall be open to the public. If he shall be removed the railroad board shall file in the office of the secretary of state a complete statement of all charges made against such commissioner and findings thereon, with the record of the proceedings. Commission-
ers may be
removed for
cause

(c) No person so appointed shall be pecuniarily interested in any railroad in this state or elsewhere, and if any such commissioner shall voluntarily become so interested, his office shall

Commissioners not to have pecuniary interest in any railroad

ipso facto become vacant; and if he shall become so interested otherwise than voluntarily, he shall, within a reasonable time, divest himself of such interest, and failing to do so his office shall become vacant and the railroad board shall proceed as provided for in section 1, subdivision b, of this act.

Complaints to be investigated within reasonable time

(d) Whenever a complaint is made to the commission of a violation of any of the provisions of this act, or of any order of the commission, it shall, within four months, commence investigation of said charge, and shall determine the same within six months, unless the person preferring said charges shall agree in writing to a longer time. A failure to comply with this provision shall *ipso facto* render the office of each of the commissioners vacant, and the railroad board shall appoint new commissioners as provided for by this act.

Chief and first associate commissioner to give entire time

(e) Neither the chief commissioner nor the first associate commissioner shall hold any other office or position of profit, or pursue any other regular business or vocation. These limitations and restrictions shall not apply to the second associate commissioner, but none of the commissioners shall be a member of any political convention, or a member of any committee of any political party.

Oaths to be taken

(f) Before entering upon the duties of his office, each of said commissioners shall take and subscribe the constitutional oath of office, and shall in addition thereto swear (or affirm) that he is not pecuniarily interested in any railroad in this state or elsewhere, or common carrier, which oath or affirmation shall be filed in the office of the secretary of state.

Salaries

(g) The chief commissioner shall receive a salary of \$5,000 per annum, the first associate commissioner shall receive a salary of \$4,000 per annum, and the second associate commissioner shall receive a salary of \$2,500 per annum, all payable in the same manner as the salaries of other state officers are paid.

Secretary: salary of

(h) Said commission may appoint a secretary, who shall be an expert rate man at a salary of not more than \$2,400 per annum and may employ such other clerks and experts as may be necessary to perform any service it may require of them, and shall fix their compensation.

Oath of secretary

(i) The secretary shall take and subscribe to an oath similar to that of the commissioners, and shall keep full and correct records of all transactions and proceedings of the commission, and shall perform such other duties as may be required by the commission. Any person ineligible to the office of commissioner shall be ineligible to the office of secretary.

Official title of commission

(j) The commission shall be known collectively as the "Railroad Commission of Nevada," and in that name may sue and be sued. It shall have a seal with the words "Railroad Commission of Nevada," and such other design as the commission may prescribe engraved thereon, by which it shall authenticate its proceedings, and of which the courts shall take judicial notice.

(k) The commission shall keep its office at Carson City, and shall be provided by the board of capitol commissioners with suitable room or rooms, necessary office furniture, supplies, stationery, books, periodicals, maps, and all necessary expenses shall be audited and paid as other state expenses are audited and paid. The commission may hold sessions at any place other than its office, when the convenience of the parties so requires. The commissioners and secretary and such other clerks and experts as may be employed shall be entitled to receive from the state their necessary expenses while traveling on the business of the commission, including the cost of lodging and subsistence. Such expenditure shall be sworn to by the person who incurred the expense, and be approved by the chairman of the commission.

Office kept
at Carson
City

(l) The commission shall have the power to adopt and publish rules to govern its proceedings, and to regulate the mode and manner of all investigations and hearings of railroads and other parties before it, and all hearings shall be open to the public.

Rules of
procedure

(m) The commission may confer by correspondence, or by attending conventions, or otherwise, with the railroad commissioners of other states, and with the interstate commerce commission on any matters relating to railroads. All necessary expenses incurred in attending such conventions shall be a charge against the state, and be audited and paid as other state claims are paid; *provided*, that all such claims shall be sworn to by the commissioner incurring the expense, and be approved by the chairman.

To confer
with similar
bodies of
other states
and attend
conventions

(n) Nothing herein contained shall be so construed as to affect the date of the beginning or ending of the term of any commissioner now in office, or to change the dates of future appointments from those now prescribed by law, but from and after the passage of this amendatory act the commissioner now designated as the one who shall not hold any other office or position of profit, or pursue any other business or vocation, or serve on or under any committee of any party, but shall devote his entire time to the duties of his office, shall be officially designated "Chief Commissioner," and be paid the salary herein prescribed and the commissioner whose term began on the first Monday in February, 1911, shall be officially designated "First Associate Commissioner," and the salary paid him as herein prescribed. The salaries herein provided for shall be deemed and considered full compensation for all services rendered by the members of the commission, whether as railroad commissioners or in any other official or ex officio capacity.

Present
commission
not disturbed

SEC. 2. All acts and parts of acts in so far as they conflict with the provisions of this act are hereby repealed.

Repeal

CHAP. 194—*An act to amend section five of an act entitled "An act regulating the sheep industry of the State of Nevada, creating a state board of sheep commissioners, defining their duties and prescribing their compensation," approved March 26, 1907.*

[Approved March 27, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section five of the above-entitled act amended so as to read as follows:

Segregation
of moneys
for state
sheep
inspection
fund

Section 5. The county assessor must, on or before the fourth Monday in October of each year, prepare from the assessment book of such year, as corrected by the board of equalization, a statement showing the total number of all sheep assessed and the value of the same. And the county treasurer must notify the state board of sheep commissioners of all moneys forwarded to the state treasurer belonging to the state sheep inspection fund at the time said moneys are forwarded to the state treasurer, also make final report to said board at the time he makes settlement with the state controller.

CHAP. 195—*An act to amend an act entitled an act to amend "An act entitled 'An act regulating the practice of medicine, surgery and obstetrics in the State of Nevada; providing for the appointment of a state board of medical examiners and defining their duties; providing for the issuing of licenses to practice medicine; defining the practice of medicine; defining certain misdemeanors and providing penalties, and repealing all other acts, or parts of acts, in conflict therewith,' approved March 4, 1905," approved March 20, 1907.*

[Approved March 27, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section eight of said act is hereby amended so as to read as follows:

Applicants
for certifi-
cates to
practice
medicine
must have
diploma and
pass exami-
nation

Section 8. Applicants for certificates to practice medicine, surgery or obstetrics in the State of Nevada shall be required to present a diploma from a legally recognized college, and to pass a satisfactory examination before the state board of medical examiners as to his or her qualifications. The applicant must appear personally before the board, and the examination shall be conducted in the English language, and shall be, in whole or in part in writing, and in each branch shall obtain seventy-five per cent, and shall be on the following subjects, to wit: Anatomy, physiology, materia medica, and thera-

peutics, chemistry, bacteriology, pathology, toxicology, obstetrics, surgery, general medicine, diseases of the skin, eye, ear, nose, throat, brain, genito-urinary system. Said examination shall be fair and impartial, and the questions of such character as will determine the fitness of the applicant to practice his or her profession. When applicant applies for examination in materia medica and therapeutics and theory and practice of medicine, he shall designate in which school of medicine he desires to practice, and only the member or members of the board who belong to the school so designated shall participate in this part of the examination. Examinations shall be practical in character, and designed to discover the applicant's fitness to practice medicine and surgery. If an applicant fail in his first examination, he may, after not less than six months, be reexamined, without additional fee. If he fail in a second examination, he shall not thereafter be entitled to another examination in less than one year after the date of second examination, and shall be required to pay for such examination the full fee. The examination papers shall form a part of the records of said board, and shall be kept on file by the secretary, and said records shall be open to public inspection whenever requested after the examination; *provided*, that any person, who is a regular graduate from a regularly chartered college of the practice of the system of what is generally known and recognized as the drugless system, may present themselves for examination under the regulations hereinbefore specified, and shall be required to pass an examination in all the subjects noted, with the exception of materia medica and therapeutics, and upon the passing satisfactorily of said examination by the board, shall have issued to them a license to practice the said system of drugless medicine in this state, under the same rules and regulations prescribed and required of the practitioners of other systems of medicine. Each applicant, on making application, shall pay to the secretary of the board a fee of twenty-five dollars (\$25), at the same time the diploma and affidavit is filed with him, and this fee shall not be returned in the event of the applicant's failing to pass a satisfactory examination. Any person who may hereafter be granted a license to practice medicine and surgery in this state under this act, upon the grounds of reciprocity with other states and without examination, shall pay a fee of twenty-five dollars (\$25) for such license.

Subjects
of exami-
nation

Reexamina-
tion for
unsuccessful
applicants

Certain sub-
jects
excepted in
certain cases

Fee forfeited
in case of
failure

CHAP. 196—*An act to amend section one of an act entitled "An act to define contributory dependency and contributory delinquency, and to make the same a misdemeanor and to provide for the punishment of persons guilty thereof," approved March 23, 1909.*

[Approved March 27, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of the above-entitled act is hereby amended so as to read as follows:

Section 1. *Definition.* Any person who shall by any act cause, encourage, or contribute to the dependency or delinquency of a child, as these terms with reference to children are defined by the statutes of this state, or who shall for any cause be responsible therefor, shall be guilty of a misdemeanor, and upon trial and conviction thereof, shall be fined in a sum not to exceed five hundred dollars or imprisoned in the county jail for a period not exceeding six months, or by both such fine and imprisonment. When the charge against any person under this act concerns the dependency of a child or children, the offense, for convenience, may be termed "contributory dependency"; and when it concerns the delinquency of a child or children, for convenience it may be termed "contributory delinquency." All offenses under the provisions of this act shall be prosecuted in the juvenile department of the district court of the county in which said offense may be committed.

Contributory
dependency
and contribu-
tory delin-
quency
defined

CHAP. 197—*An act to amend certain sections of an act entitled "An act relating to children who are now or who may hereafter become dependent, neglected or delinquent, to define these terms and to provide for the treatment, control, maintenance, protection, adoption and guardianship of the person of such child or children," approved March 24, 1909.*

[Approved March 27, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of said act is hereby amended to read as follows:

Section 1. This act shall be known as the "Juvenile Court Law" and shall apply only to children under the age of eighteen years not now or hereafter inmates of a state institution, except as otherwise herein provided.

Amending
juvenile
court law

For the purpose of this act the words "dependent child" and "neglected child" shall mean any child who, while under the age of eighteen years, for any reason is destitute, homeless or

abandoned; or dependent upon the public for support; or has not proper parental care or guardianship; or habitually begs or receives alms; or is found living in any house of ill-fame, or with any vicious or disreputable person, or has a home which by reason of neglect, cruelty or depravity on the part of its parents, guardian or any other person in whose care it may be, is an unfit place for such child, or who, while under the age of ten years, is found begging, peddling or selling any article or articles, or singing or playing any musical instrument for gain or giving any public entertainments upon the street, or accompanies or is used in the aid of any person so doing; or is incorrigible, or knowingly associates with thieves, vicious or immoral persons; or without just cause, and without the consent of the parents, guardian or custodian absents itself from its home or place of abode, or is growing up in idleness or crime; or knowingly frequents or visits a house of ill-fame or ill-repute; or knowingly frequents or visits any policy shop or place where any gaming device is operated; or patronizes, visits or frequents any saloon or dram shop where intoxicating liquors are sold; or patronizes any public pool-room where the game of billiards or pool is being carried on for pay or hire; or who wanders about the streets in the night time without being on any lawful business or any lawful occupation; or habitually wanders about any railroad yards or tracks, or jumps or attempts to jump onto any moving train; or enters any car or engine without lawful authority, or writes or uses vile, obscene, profane or indecent language, or smokes cigarettes in any public place or about any schoolhouse; or is guilty of indecent, immoral or lascivious conduct; any child committing any of these acts shall be deemed a delinquent child, and when proceeded against, such proceedings shall be on behalf of the state in the interest of the child and the state, with due regard for the rights and duties of parents and others, by petition to be filed by any reputable person, and to that end it shall be dealt with, protected and cared for in the district court as a ward of the state in the manner hereinafter provided.

Dependent
child and
neglected
child defined

The words "delinquent person" shall include any person under the age of eighteen years who violates any law of this state or any ordinances of any town, city, county, or city and county of this state, defining crime.

Delinquent
person
defined

A deposition of any child under this act or any evidence given in such cause shall not, in any civil, criminal or other cause or proceeding whatever in any court, be lawful or proper evidence against such child for any purpose whatever, except in subsequent cases against the same child under this act; nor shall the name of any such child in connection with any proceedings under this act be published in any newspaper without a written order of the court. The word "child" or "children" may be held to mean one or more children, and the word "parent" or "parents" may be held to mean one or both par-

What not
lawful evi-
dence

ents, when consistent with the intent of this act. The word "association" shall include any association, institution or corporation which includes in their purposes the care, or disposition of children, coming within the meaning of this act.

SEC. 2. Section six of said act is hereby amended to read as follows:

Probation
officers.
duties of

Section 6. *Probation Officers.* The district courts in this state shall have authority to appoint any number of discreet persons of good moral character to serve as probation officers during the pleasure of the court; said probation officers shall receive no compensation from the county treasury except as herein provided. It shall be the duty of the clerk of the court, if practicable, to notify the said probation officer when any child is to be brought before the court; it shall be the duty of such probation officer to make investigation of such case; to be present in the court to represent the interests of the child when the case is heard; to furnish such court such information and assistance as the court or judge may require, and to take charge of any child before and after the trial as may be directed by the court. The number of probation officers to receive compensation from the county, named and designated by the district court, shall be as follows:

May be
appointed by
court

In all counties in this state the district judge may appoint one probation officer, whenever in the opinion of the district judge, the district superintendent of schools, in which said county may be located, or be a part thereof, and a majority of the board of county commissioners of said county shall deem such appointment necessary to care for the dependent and delinquent children of the county; *provided*, such probation officer can be removed from office at any time by the said district judge. The salary of said probation officers shall be as follows:

Salaries of
probation
officers

In counties having over fifteen thousand population, there shall be one probation officer, and one assistant probation officer receiving a salary. The salary of the probation officer shall be one hundred and fifty dollars per month, and the salary of an assistant shall be seventy-five dollars per month. The expenses of such probation officers for probation work shall not exceed seven hundred and fifty dollars per year.

Appointment
of probation
officer dis-
cretionary
with district
judge, when

In counties having less than fifteen thousand population it shall be within the discretion of the district judge or county commissioners of each of said counties to determine as to the necessity of appointing a probation officer; *provided*, that in counties having eight thousand population and under fifteen thousand there shall be no more than one probation officer receiving a salary and such salary shall be one hundred and twenty-five dollars per month; *provided, further*, that in counties of five thousand and under eight thousand there shall be no more than one probation officer receiving a salary, and such

salary shall be one hundred dollars per month; *and provided further*, that in counties of under five thousand there shall be no more than one probation officer receiving a salary, and such salary shall be seventy-five dollars per month.

All probation officers whose expenses are not herein provided shall be allowed such necessary incidental expenses as may be authorized by the judge or judges of the district court of said county; *provided*, that the said probation officers can be appointed for any portion or part of a year as the said district judge or judges may determine, and can be paid for the time and periods said probation officer serves under such appointment. The salary and expenses of the probation officer shall be paid out of the county funds in the county treasury in monthly installments, in the same manner as other claims against the county.

Expenses of
probation
officers

Any district judge or judges appointing such probation officer to receive a salary or other compensation from the county provided for under this act, shall transmit such appointment to the district superintendent of schools of the district of which the county in which said appointment is made is a part, the state superintendent of public instruction, and the governor of this state, who shall constitute a board to investigate the competency of such person so appointed to act as probation officer, and it shall be the duty of a majority of said board to approve or disapprove of such appointee, within thirty days after submission thereof by the said district court, and a failure to act thereon within such time shall constitute an approval of such appointment. If a majority of such board are of the opinion that such appointee does not possess the qualifications for a probation officer, they shall notify the court of their conclusions within thirty days of such appointment to the respective members thereof, whereupon it shall be the duty of the district judge or judges to withdraw such appointment and appoint some one who shall receive the approval of said board.

Competency
of probation
officer, how
decided

Probation officers receiving a salary or other compensation from the county, provided for by this act, are hereby vested with all the power and authority of police or sheriffs to make arrests and perform any other duties ordinarily required by policemen and sheriffs which may be incident to their office or necessary or convenient to the performance of their duties; *provided*, that other probation officers may be vested with like power and authority upon a written certificate from the district judge or judges that they are persons of discretion and good character, and that it is the desire of the court to vest them with all the power and authority conferred by law upon probation officers receiving compensation from the county.

To have
powers of
peace officers

The appointment of probation officers and the approval thereof as to the qualifications of such officers by the board herein designated, shall be filed in the office of the clerk of the

Appoint-
ments filed
with court

court. Probation officers shall take an oath such as may be required of other county officers to perform their duties and file in the office of the clerk of the district court.

SEC. 3. Section seven of said act is hereby amended to read as follows:

Probation
committee,
how
appointed

Section 7. *Probation Committee.* The judge or judges of the district court in and for each county or city and county of the state, and in counties where there is more than one judge of the said court shall, by an order entered in the minutes of the court, appoint five discreet citizens of good moral character and of either sex, to be known as "Probation Committee," and shall fill all vacancies occurring in such committee. The clerk of said court shall immediately notify each person appointed upon said committee, and thereupon said person shall appear before the judge of the district court to whom has been assigned all proceedings under this act, and qualify by taking an oath, which shall be entered in said juvenile court record, to faithfully perform the duties of a member of said probation committee.

To serve two
years

The members of such probation committee shall hold office for two years, and until their successors are appointed and qualified. When any vacancy occurs in any probation committee by expiration of the term of office of any member thereof, his successor shall be appointed to hold office for the unexpired term.

No salary

Members of the probation committee shall serve without compensation, and shall choose from their members a chairman and secretary.

Committee
to report

The district court or any judge thereof may at any time require of said probation committee or probation officer to examine into the qualifications and management of any society, association or corporation, other than a state institution, receiving or applying for any child or children under this act, and to report thereon to the court.

Annual
report of
committee

It shall be the duty of each probation committee prior to the first day of December in each year, to prepare a report in writing on the qualifications and management of all societies, associations and corporations, except state institutions, applying for or receiving any child under this act from the courts of their respective counties, and in such reports said committee may make such suggestions or comments as to them may seem fit, such report to be filed in the office of the clerk of the court appointing such committee for the information of the county commissioners thereof. The probation committee shall also have the control and management of the internal affairs of any detention home, heretofore or hereafter established by the board of county commissioners of their county, such control and management at all times to be subject to the approval of the district court or judge or judges thereof, and it shall be the duty of the board of county commissioners to provide for the payment of such employees as may be needed in the efficient management of such detention home.

Dependent and Neglected Children. If the court shall find any child under the age of eighteen years to be dependent or neglected within the meaning of this act, the court may allow such child to remain at its home subject to the friendly visitation of a probation officer, or to report to the court or probation officer from its home or school at such times as the court may require. And if parent, parents, guardian or custodian consent thereto, or if the court shall further find that the parent, parents, guardian or custodian of such child are unfit or improper guardians or are unable or unwilling to care for, protect, train, educate, correct or discipline such child and that it is for the interest of such child and other people of this state that such child be taken from the custody of its parents, custodian or guardian, the court may make an order appointing as guardian of the person of such child, some reputable citizen of good moral character, and order such guardian to place such child in some suitable family, home or other suitable place which such guardian may provide for such child, or the court may enter an order committing such child to some suitable state institution, of this or any other state organized for the care of dependent or neglected children, or to some training or industrial school or childrens' home-finding society of this or any other state, or to some association embracing in its objects the purpose of caring for or obtaining homes for neglected or dependent children, which association shall have been accredited as heretofore provided.

Dependent
and
neglected
children

SEC. 4. Section nine of said act shall be amended to read as follows:

Section 9. *Delinquent Children.* If the court shall find any child under the age of eighteen years to be delinquent within the meaning of this act, the court may allow such child to remain at its own home subject to the friendly visitation of a probation officer, such child to report to the court or probation officer with such record of its conduct in its home or school as the court may require as often as may be required, and if the parents, parent, guardian or custodian consent thereto or if the court shall further find either that the parent, parents, guardian or custodian are unfit or improper guardians or are unable or unwilling to care for, protect, educate, or discipline such child, and shall further find that the parent, parents, guardian or custodian are unfit or improper guardians or are unable or unwilling to care for, protect, educate or discipline such child, and shall further find that it is for the interest of such child and other people of this state that such child be taken from the custody of its parents, parent, custodian or guardian, the court may appoint some proper person or probation officer, guardian over the person of such child and permit it to remain at its home or order such guardian to cause such child to be placed in a suitable family home, or cause it to be boarded out in some suitable home, in case provision is made by voluntary contribution or otherwise for the payment of the board; or the court

Specifying
who are
delinquent
children

Regarding
delinquent
children

may commit such child to any institution incorporated under the laws of this or any other state to care for delinquent children, or to any institution that has been or may be provided by the state, county, city, town or village suitable for the care of delinquent children including a detention home or school, or to some association that will receive it, embracing in its objects the care of neglected, dependent or delinquent children and which has been duly accredited as hereinbefore provided. In every case where such child is committed to an institution or association, the court shall appoint the president, secretary or superintendent of such institution or association, guardian over the person of such child, and shall order such guardian to place such child in such institution or with such association, whereof he is such officer, and to hold such child, care for, train and educate it subject to the rules and laws that may be in force, from time to time governing such institution or association.

SEC. 5. Section ten of said act shall be amended to read as follows:

When child
may be
proceeded
against

Section 10. The court may, in its discretion, in any case of a delinquent child permit such child to be proceeded against in accordance with the laws that may be enforced in the state governing the commission of crimes or violation of city, village or town ordinances; in such case the petition filed under this act shall be dismissed.

Whenever any person over the age of eighteen years and under the age of twenty-one years is accused of felony, and the indictment or information has been filed in the district court of the county wherein the crime was committed, charging said person with the commission of said felony, the judge may, in his discretion, with the consent of the accused, or upon his request, arrest said proceeding at the time of the arraignment or at any time previous to the impanelment of the jury, except where the crime charged is a capital offense or an attempt to commit a capital offense, and may proceed to investigate the charge against the defendant, and all the facts and circumstances necessary to determine the proper disposition to be made of said person, and shall determine whether said person shall be dealt with as a delinquent under the provisions of this act.

Proceedings
regarding
delinquents

If the court is satisfied upon such investigation that said person should be declared a delinquent and should be dealt with under this act, it may make such order as herein provided for the disposition of delinquent children. If such person thereafter proves not to be amenable to the discipline of the school to which he may be committed, and the trustees thereof shall determine that said person should be committed to a state penitentiary, such person should be returned to the custody of the sheriff of the county in which such crime was committed, and thereafter proceedings shall be had upon the indictment or information commencing at the point at which proceedings

were arrested; and said person shall be tried for the offense alleged in the information, and if convicted shall be sent to the penitentiary for such time as the court may determine, or otherwise dealt with in accordance with the law for dealing with persons convicted of a felony. If no request is made by the defendant for proceedings under this statute, or if the defendant desires a trial by jury, or if the judge declines to consent to the application of the defendant for proceedings under this statute, said cause shall proceed in the ordinary manner up to the verdict of guilty or not guilty, as the case may be. If said person is convicted, the court may thereafter receive such evidence as may be offered, touching the question as to whether or not said person shall be dealt with as a delinquent in the manner hereinbefore provided in the case of the application and consent of the accused before trial, and may make such order of probation or commitment to said state schools, and may from time to time modify said probation order, as is herein provided in the case of children adjudged delinquent. If such person during the period of his commitment to said state institution, proves to be incorrigible or not amenable to the discipline of such institution, and it shall be deemed advisable in the judgment of the trustees of such institution that said person be sent to the penitentiary, then said person shall be returned to the district court in which the verdict was rendered, for sentence, and thereupon the court shall pronounce judgment.

Proceedings
regarding
delinquents

SEC. 6. Section fourteen of said act is hereby amended to read as follows:

Section 14. *Transfers from Justice and Police Magistrates.* When in any county where a court is held as provided in section 2 of this act, any child under the age of eighteen years is arrested with or without warrant, such child may, instead of being taken before a justice of the peace or police magistrate, be taken directly before such court; or if the child is taken before the justice of the peace or police magistrate, such justice or magistrate shall inquire into such case, and unless he be of the opinion that no sufficient foundation exists for the charge of dependency or delinquency, it shall be the duty of such justice of the peace or police magistrate to transfer the case to the district court, and the officer having the child in charge take the child before such court, and in any case the district court may proceed to hear and dispose of the case in the same manner as if the child had been brought before the court upon petition as herein provided. In any case the court shall require notice to be given and investigation shall be made as in other cases under this act, and may adjourn the hearing from time to time for that purpose.

Transfers
from justice
and police
magistrates

SEC. 7. Section fifteen of said act is hereby amended to read as follows:

Section 15. *Children Under Twelve Years Not To Be Committed to Jail.* No court or magistrate shall commit a child

Children
under 12 not
committed to
jail

under twelve years of age to a jail or police station, but if such child is unable to give bail it may be committed to the care of the sheriff, police officer, or probation officer, who shall keep such child in some suitable place provided by the city or county outside of the enclosure of any jail or police station. When any child shall be sentenced to confinement in any institution to which adult convicts are sentenced, it shall be unlawful to confine such child within the same building with such adult convict, or to confine such child in the same yard or enclosure with such adult convicts, or to bring such child into any yard or building in which adult convicts may be present.

Detention
how, when
established

In counties of over ten thousand population the county commissioners of each of said counties are authorized and required without unreasonable delay to provide, furnish and maintain at public expense a building suitable and adequate for the purpose of a detention home located at the county-seat of each of said counties, for the detention of the dependent and delinquent children and wherein all children within the provisions of this act shall, when necessary, before or after trial, be detained, either for securing the attendance of such children at any hearing or trial or when under order of probation for the best interests of said child and of the state. Such detention home shall be under the supervision of a matron who with other necessary employees shall be appointed by the judge or judges of the district court on the nomination of the probation committee, and their salaries shall be fixed by the judge or judges of the district court of the county, and such employees shall hold their positions during the pleasure of the judge or judges of their county. Such detention home shall be conducted as nearly like a home as possible, and shall not be deemed to be, or treated as a penal institution.

Superintendent
of
detention
home, when
appointed

Whenever, in the discretion of the district judge or judges and probation officer, it becomes necessary to provide a superintendent or other male attendant at such detention home, the district judge or judges shall make such appointment, which appointee shall be deputized as, and clothed with the authority of, a probation officer, and it shall be the duty of the county commissioners to provide for the payment of all salaries and expenses occasioned thereby.

Child may
give bonds,
when

Any child within the provisions of this act, informed against or regarding which a petition had been filed, or for any purpose taken into custody, shall, at any time before it is tried and adjudged to be delinquent, be entitled, by any friend or parent offering sufficient surety, to give bond or other security for its appearance at any hearing or trial of such case as such right is given to persons informed against the crime; and the court may in any case, upon the request of said child, or parent representing it, appoint counsel to appear on behalf of any such child, such counsel to receive no pay from the county.

SEC. 8. There is hereby added to said act an additional section, to be known as section twenty-nine:

Section 29. Up to and including July 1, 1913, the governor and the superintendent of public instruction of this state are hereby authorized and directed to make such contracts for and in behalf of this state, with the states of California, Oregon, Idaho or Utah, for the care, maintenance, and training of juvenile delinquents of this state, in the industrial or training schools for juvenile delinquents of such states of California, Oregon, Idaho or Utah as, and upon such terms as the said governor and superintendent of public instruction may deem necessary for the proper care, maintenance and training of such delinquents.

Contracts may be made with other states for care of juvenile delinquents

CHAP. 198—*An act supplemental to an act entitled "An act to provide revenue for the support of the government of the State of Nevada, and to repeal certain acts relating thereto," approved March 23, 1891.*

[Approved March 27, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. For the purpose of assessment and collection of taxes on the property and franchises of any express company the cash value thereof shall not be less than the largest amount on which the net profit of the company for the calendar year previous to the assessment or levy of the taxes will pay interest or dividends at the rate of eight per cent per annum. This net profit shall be the difference between the average gross annual earnings per mile on the mileage operated in this state on local and through business, including receipts for the transportation of parcels and property carried into, out of or through this state and the necessary annual average expense per mile on such mileage operated in this state in such transportation, carrying and operation of the business of the express company under reasonable, economical and prudent management, estimated for the last calendar year previous to the levy. The actual annual deterioration of property used in the business shall be considered a part of the annual expense.

Method of assessing property and franchises of express companies

SEC. 2. Every express company shall include in the list or statement of taxable property now required by law to be made a statement of the gross receipts and expenses and the net income of the company, the amount paid in dividends and the amount held or carried over as surplus, for the last calendar year, and a statement of the total number of miles operated by such express company on any through lines which run through this state, and of the gross receipts and expenses thereon, and of the total number of miles operated by such express company

Express companies to make complete report

exclusively in this state, and of the gross receipts and expenses thereon. Such list or statement shall be in no way conclusive or binding upon any officer, board or authority empowered by law to fix assessments or to collect taxes.

CHAP. 199—*An act to create a state board of health, defining their duties, prescribing the manner of the appointments of its officers, fixing their compensation, making an appropriation for the support of said board, establishing county boards of health, requiring certain statements to be filed, defining certain misdemeanors and providing penalties therefor and other matters relating thereto.*

[Approved March 27, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. A state board of health is hereby created, consisting of a president, secretary and one other member.

State board
of health

The president and secretary shall be appointed by the governor for a term of four years; said appointee shall have been engaged in the regular practice of medicine in the State of Nevada, for a period of at least five years before being eligible to appointment on said board of health; the third member of the board shall be appointed by the governor and the president and secretary; the requirement as to the five years' practice shall not apply in his case.

Meetings of
board

SEC. 2. The state board of health shall meet at Carson City on the first Tuesday in January and the first Tuesday in July in each year, and at such other times as the president may deem advisable.

Duties of
president

SEC. 3. The duties of the president are to preside over all meetings of the board, and to perform such other acts as may be fixed and determined by the state board of health. He shall receive the sum of twenty dollars per day for each day's session of the board of health, together with necessary traveling expenses.

Duties of
secretary

Biennial
report

SEC. 4. The secretary shall keep a record of all vital statistics, tabulate and issue semiannual bulletins and make out and file with the governor a biennial report, showing in detail, the work of the board. He shall carefully compile the reports of the various health officers of this state as hereinafter provided, keep the minutes of all meetings of the board and attend to all correspondence in carrying out the provisions of this act. He shall, when called upon by the local health officer in case of any epidemic, proceed immediately to such locality and render such assistance in his power to eradicate and prevent a recurrence of such epidemic and shall investigate any epidemic when called upon so to do by the state board of health.

SEC. 5. The third member of the board shall attend all the semiannual meetings of the board, and such other meetings as may be called by the president, and consult and advise with the board whenever called upon so to do. He shall receive for each day's attendance at a meeting of the board the sum of twenty dollars and for his necessary traveling expenses.

Duties of
third
member

SEC. 6. The local health officer in each county shall act as a collector of vital statistics and is empowered to appoint such deputy or deputies as may be necessary with the approval of the board of county commissioners. For collecting and compiling the vital statistics of the county he shall receive from the county a sum not less than twenty-five dollars per month, and the board of county commissioners are directed to allow a claim for this or for such greater sum as they may deem proper for the work performed; the deputies appointed by the local health officer with the approval of the county commissioners, shall be paid in the same manner a sum not to exceed twenty-five dollars per month, for registering and compiling the data prescribed by the state board of health and by this act. The deputy health officers shall file with the local health officer monthly reports not later than the fifth day of each month, which said reports, shall be compiled by the local health officer and forwarded to the secretary of the state board of health, not later than the tenth day of each month. He shall file a copy of said report with the county recorder.

Local health
officer to be
collector of
vital statis-
tics; salary

SEC. 7. The certificate of death that shall be used is of the United States standard form as approved by the bureau of the census. The personal and statistical particulars shall be authenticated by the signature of the informant, who may be any competent person acquainted with the facts. The statement of facts relating to the disposition of the body shall be signed by the undertaker or person acting as such. The medical certificate shall be signed by the physician, if any, last in attendance on the deceased, who shall specify the time in attendance, the time he last saw the deceased alive and the hour of the day at which death occurred. And he shall further state the cause of death, so as to show the course of disease or sequence of causes resulting in the death, giving first the name of the disease causing death (primary cause), and the contributory (secondary) cause, if any, and the duration of each. Indefinite and unsatisfactory terms, indicating only symptoms of disease or conditions resulting from disease, will not be held sufficient for issuing a burial or removal permit; and any certificate containing only such terms as defined by the state board of health shall be returned to the physician for correction and more definite statement. Causes of death, which may be the result of either disease or violence, shall be carefully defined; and if from violence, the means of injury shall be stated, and whether (probably) accidental, suicidal, or homicidal. And in deaths in hospitals, institutions, or of nonresidence, the physician shall furnish the information required

Certificate of
death,
regulations
regarding

under this head and may state where, in his opinion, the disease was contracted.

Proceedings
in cases of
death with-
out medical
attendance

SEC. 8. That in case of any death occurring without medical attendance, it shall be the duty of the undertaker to notify the local health officer of such death, and refer the case to him for immediate investigation and certification prior to issuing the permit; *provided*, where there is no qualified physician in attendance, and in such cases only, the local health officer is authorized to make the certificate and return from the statements of relatives or other persons having adequate knowledge of the facts; *provided, further*, that if the death was caused by unlawful or suspicious means, the local health officer shall then refer the case to the coroner for investigation and certification. And any coroner whose duty it is to hold an inquest on the body of any deceased person, and to make the certificate of death required for a burial permit, shall state in his certificate the name of the disease causing death, or if, from external causes (1) the means of death; and (2) whether (probably) accidental, suicidal or homicidal; and shall, in either case, furnish such information as may be required by the state board of health in order properly to classify the death.

Duties of
undertaker

SEC. 9. That the undertaker, or person acting as undertaker, shall be responsible for obtaining and filing the certificate of death with the local health officer, or his deputy, in the district in which the death occurred, and for securing a burial or removal permit, prior to any disposition of the body. He shall obtain the personal and statistical particulars required from the person best qualified to supply them, over the signature and address of his informant. He shall then present the certificate to the attending physician, if any, or to the health officer, or coroner, for the medical certificate of the cause of death and other particulars necessary to complete the record, as specified in sections 7 and 8. And he shall then state the facts required relative to the date and place of burial over his signature and with his address, and present the completed certificate to the local health officer, in order to obtain a permit for burial, removal or other disposition of the body. The undertaker shall deliver the burial permit to the sexton, or person in charge of the place of burial, before interring or otherwise disposing of the body; or shall attach the transit containing the registration removal permit to the box containing the corpse when shipped by any transportation company; said permit to accompany the corpse to its destination, where if within the State of Nevada, it shall be delivered to the sexton or to any other person in charge of the place of burial.

Burial per-
mit, what to
contain

SEC. 10. That if the interment or other disposition of the body is to be made within the state, the wording of the burial permit may be limited to a statement by the local health officer, and over his signature that a satisfactory certificate of death having been filed with him, as required by law, permission is granted to inter, remove or otherwise dispose of the

deceased, stating the name, age, sex, cause of death, and other necessary details upon the form prescribed by the state board of health.

SEC. 11. That no sexton or person in charge of any premises in which interments are made shall inter or permit the interment or other disposition of any body unless it is accompanied by a burial, removal or transit permit, as herein provided. And each sexton, or person in charge of any burial ground, shall endorse upon the permit the date of interment, over his signature and shall return all permits so endorsed to the local health officer of his district, within ten days from the date of interment, or within the time fixed by the local health officer or by the state board of health. He shall also keep a record of all interments made in the premises under his charge, stating the name of the deceased person, place of death, date of burial, and name and address of undertaker; which record shall at all times be open to public inspection.

Body not
interred
without
proper
permit

SEC. 12. That all births that occur in the state shall be immediately registered in the districts in which they occur, as hereinafter provided.

Births to be
registered

SEC. 13. That it shall be the duty of the attending physician or midwife to file a certificate of birth, properly and completely filled out, giving all the particulars required by this act, with the local health officer, of the district in which the birth occurred, within ten days after the date of birth. And if there be no attending physician or midwife, then it shall be the duty of the father or mother of the child, householder or owner of the premises, manager or superintendent of public or private institutions in which the birth occurred, to notify the local health officer, within ten days after the birth, of the fact that a birth has occurred. It shall then be the duty of the local health officer to secure the necessary information and signature to make a proper certificate of birth; *provided*, that in cities the certificate of birth shall be filed at a less interval than ten days after birth, if so required by municipal ordinance or regulations now in force or that may hereafter be enacted.

Duties of
physician or
midwife

SEC. 14. That the certificate of birth shall contain the following items:

What birth
certificate
must contain

(1) Place of birth, including state, county, township, or town, village or city. If in a city, the ward, street, and house number; if in a hospital or other institution, the name of the same to be given, instead of the street and house number.

(2) Full name of child. If the child dies without a name, before the certificate is filed, enter the words "died unnamed." If the living child has not yet been named at the date of filing certificate of birth, the space for "full name of child" is to be left blank, to be filled out subsequently by a supplemental report, as hereinafter provided.

(3) Sex of child.

(4) Whether a twin, triplet, or other plural birth. A sepa-

rate certificate shall be required for each child in case of plural birth, giving number of child in order of birth.

What birth
certificate
must contain

- (5) Whether legitimate or illegitimate.
- (6) Full name of father, except for illegitimate children.
- (7) Residence of father.
- (8) Color or race of father.
- (9) Birthplace of father; state or foreign country.
- (10) Age of father at last birthday, in years.
- (11) Occupation of father.
- (12) Maiden name of mother.
- (13) Residence of mother.
- (14) Color or race of mother.
- (15) Birthplace of mother; state or foreign country.
- (16) Age of mother at last birthday, in years.
- (17) Occupation of mother.
- (18) Number of child of this mother, and number of children of this mother now living.
- (19) Born at full term?

(20) The certificate of attending physician or midwife as to attendance at birth, including statement of year, month, day and hour of birth, and whether the child was alive or dead at birth. This certificate shall be signed by the attending physician or midwife, with date of signature and address; if there is no physician or midwife in attendance, then the father or mother of the child, householder or owner of the premises, or manager or superintendent of public or private institution, or other competent person, whose duty it shall be to notify the local health officer of such birth, as required by section 13 of this act.

(21) Exact date of filing in office of local health officer attested by his official signature, and registered number of birth, as hereinafter provided.

All certifi-
cates filled in
black ink

All certificates, either of birth or death, shall be written legibly, in unfading black ink, and no certificate shall be held to be complete and correct that does not supply all of the items of information called for herein, or satisfactorily account for their omission.

Given name
of child,
special
blank for

SEC. 15. That when any certificate of birth of a living child is presented without the statement of the given name, then the local health officer shall make out and deliver to the parents of the child a special blank for the supplemental report of the given name of the child, which shall be filled out as directed, and returned to the local health officer as soon as the child shall have been named.

Physicians,
midwives
and under-
takers to
register
names and
addresses
with local
health
officer

SEC. 16. That every physician, midwife and undertaker shall, without delay, register his or her name, address and occupation with the local health officer of the district in which he or she resides, or may hereafter establish a residence; and shall thereupon be supplied by the local health officer with a copy of this act, together with such rules and regulations as may be prepared by the state board of health relative to its

enforcement. Within thirty days after the close of each calendar year each local health officer shall make a return to the state board of health of all physicians, midwives or undertakers who have been registered in his district during the whole or any part of the preceding calendar year; *provided*, that no fee or other compensation shall be charged by local health officers to physicians, midwives or undertakers for registering their names under this section or making returns thereof to the state board of health.

SEC. 17. That all superintendents or managers, or other persons in charge of hospitals, almshouses, lying-in or other institutions, public or private, to which persons resort for treatment of diseases, confinement, or are committed by process of law, are hereby required to make a record of all the personal and statistical particulars relative to the inmates in their institutions at the date of approval of this act, that are required in the forms of the certificates provided for by this act, as directed by the state board of health; and thereafter such record shall be, by them, made for all future inmates at the time of their admission. And in case of persons admitted or committed for medical treatment of disease, the physician in charge shall specify for entry in the record, the nature of the disease, and where, in his opinion, it was contracted. The personal particulars and information required by this section shall be obtained from the individual himself if it is practicable to do so; and when they cannot be so obtained, they shall be secured in as complete a manner as possible from relatives, friends, or other persons acquainted with the facts.

Superintendents of hospitals, etc., to record statistics of inmates

SEC. 18. That the state board of health shall prepare, print and supply to all local health officers all blanks and forms used in registering, recording and preserving the returns, or in otherwise carrying out the purposes of this act; and shall prepare and issue such detailed instructions as may be required to secure the uniform observance of its provisions and the maintenance of a perfect system of registration. And no other blanks shall be used than those supplied by the secretary of the state board of health. He shall carefully examine the certificates received monthly from the local health officer, and if any such are incomplete or unsatisfactory he shall require such further information to be furnished as may be necessary to make the record complete and satisfactory. And all physicians, midwives, informants or undertakers, and all other persons having knowledge of the facts, are hereby required to furnish such information as they may possess regarding any birth or death upon demand of the secretary of the state board of health, in person, by mail, or through the local health officer. He shall further arrange, bind and permanently preserve the certificates in a systematic manner, and shall prepare and maintain a comprehensive and continuous card index of all births and deaths registered; the cards to show the name of child or deceased, place and date of birth or death, number

State board of health to furnish blanks for complying with act

Various duties of secretary

of certificate, and the volume in which it is contained. He shall inform all health officers what diseases are to be considered as infectious, contagious, or communicable and dangerous to the public health, as decided by the state board of health, in order that when deaths occur from such diseases proper precautions may be taken to prevent the spreading of dangerous diseases.

Local health officer to supply blanks SEC. 19. That it shall be the duty of the local health officer to supply blank forms of certificates to such persons as require them. Each local health officer shall carefully examine each certificate of birth or death when presented for record, to see that it has been made out in accordance with the provisions of this act and the instructions of the state board of health; and if any certificate of death is incomplete or unsatisfactory, it shall be his duty to call attention to the defects in the return, and to withhold issuing the burial or removal permit until they are corrected. If the certificate of death is properly executed and complete, he shall then issue a burial or removal permit to the undertaker; *provided*, that in case the death occurred from some disease that is held by the state board of health to be infectious, contagious, or communicable and dangerous to the public health, no permit for the removal or other disposition of the body shall be granted by the local health officer, except under such conditions as may be prescribed by the state board of health.

To issue burial permits If a certificate of birth is incomplete, he shall immediately notify the informant, and require him to supply the missing items if they can be obtained. He shall then number consecutively the certificates of birth and death, in two separate series, beginning with the number 1 for the first birth and the first death in each calendar year, and sign his name as health officer, in attest of the date of filing in his office.

Birth certificates, duties regarding He shall also make a complete and accurate copy of each birth and death certificate registered by him in a record book supplied by the state board of health to be permanently preserved in his office as the local record, in such manner as directed by the state board of health. And he shall, on the tenth day of each month, transmit to the state board of health, all original certificates registered by him during the preceding month. And if no births or deaths occurred in any month, he shall, on the tenth day of the following month, report that fact to the state board of health, on a card provided for this purpose.

To keep complete record

Certified copies issued, when: fee for same SEC. 20. That the state board of health shall, upon request, furnish any applicant a certified copy of the record of any birth or death registered under provisions of this act, for the making and certification of which he shall be entitled to a fee of fifty cents, to be paid by the applicant. And any such copy of the record of a birth or death, when properly certified by the secretary of the state board of health to be a true copy thereof, shall be *prima facie* evidence in all courts and places of the facts therein stated. For any search of the files and records when no certified copy is made the state board of health shall be entitled

to a fee of fifty cents for each hour or fractional part of an hour of time of search, to be paid by the applicant. And the state board of health shall keep a true and correct account of all fees received under these provisions.

SEC. 21. That any physician who was in medical attendance upon any deceased person at the time of death who shall neglect or refuse to make out and deliver to the undertaker, sexton or other person in charge of the interment, removal or other disposition of the body, upon request, the medical certificate of the cause of death, hereinbefore provided for, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than five dollars nor more than fifty dollars. And if any physician shall knowingly make a false certification of the cause of death, in any case, he shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than fifty dollars nor more than two hundred dollars.

Penalty for physician failing to furnish death certificate

And any physician or midwife in attendance upon a case of confinement, or any other person charged with responsibility for reporting births, in the order named in section 13 of this act, who shall neglect or refuse to file a proper certificate of birth with the local health officer within the time required by this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than five dollars nor more than fifty dollars.

Same in case of childbirth

And any undertaker, sexton, or other person acting as undertaker, who shall inter, remove, or otherwise dispose of the body of any deceased person, without having received a burial or removal permit as herein provided, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than twenty dollars nor more than one hundred dollars.

Penalty for undertaker or sexton interring body without burial certificate

And any local health officer, or his deputy, who shall neglect or fail to enforce the provisions of this act in his district, or shall neglect or refuse to perform any of the duties imposed upon him by this act or by the instructions and directions of the state board of health, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than ten dollars nor more than one hundred dollars.

Penalty for misfeasance of local health officer

And any person who shall wilfully alter any certificate of birth or death, or the copy of any certificate of birth or death, on file in the office of the local or state board of health shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than ten dollars nor more than one hundred dollars, or be imprisoned in the county jail not exceeding sixty days, or suffer both fine and imprisonment, in the discretion of the court.

General penalty for altering any certificate

And any other person or persons who shall violate any of the provisions of this act, or who shall wilfully neglect or refuse to perform any duties imposed upon them by the provisions of this act, or shall furnish false information to a physician, undertaker, midwife, or informant, for the purpose of making incor-

General penalties

rect certification of births or deaths, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than five dollars nor more than one hundred dollars.

Penalty for transportation companies

And any transportation company or common carrier transporting or carrying, or accepting through its agents or employees for transportation or carriage, the body of any deceased person, without an accompanying permit issued in accordance with the provisions of this act, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than fifty dollars nor more than two hundred dollars; *provided*, that in case the death occurred outside of the state and the body is accompanied by a burial, removal, or transit permit issued in accordance with the law or board of health regulations in force where the death occurred, such burial, removal or transit permit may be held to authorize the transportation or carriage of the body into or through the state.

Local health officer to see that law is strictly enforced

SEC. 22. That each local health officer is hereby charged with the strict and thorough enforcement of the provisions of this act in his registration district, under the supervision and direction of the state board of health. And he shall make an immediate report to the state board of health of any violation of this law coming to his notice, by observation or upon complaint of any person or otherwise. The state board of health is hereby charged with the thorough and efficient execution of the provisions of this act in every part of the state, and with supervisory power over local health officers, to the end that all of its requirements shall be uniformly complied with. They shall have authority to investigate cases of irregularity or violation of the law, personally or by an accredited representative, and all local health officers shall aid him, upon request, in such investigations. When they shall deem it necessary, they shall report cases of violation of any of the provisions of this act to the prosecuting attorney of the county, with a statement of the facts and circumstances; and when any such case is reported to him by the state board of health, the prosecuting attorney shall forthwith initiate and promptly follow up the necessary court proceedings against the person or corporation responsible for the alleged violation of law. And upon request of the state board of health, the attorney-general shall likewise assist in the enforcement of the provisions of this act.

State board to thoroughly investigate

Burial certificate must issue within 72 hours of death

SEC. 23. That the body of any person whose death occurs in the state shall not be interred, deposited in a vault or tomb, cremated or otherwise disposed of, removed from or into any registration district or be held temporarily pending a further disposition more than seventy-two hours after death, until a permit for burial or removal or other disposition thereof shall have been properly issued by the local health officer of the registration district in which the death occurred. And no such burial or removal permit shall be issued by any local health officer, until a complete and satisfactory certificate of death has been filed with him as hereinbefore provided; *pro-*

vided, that when a dead body is transported by a common carrier into a local health district in Nevada, for burial, then the transit and removal permit, issued in accordance with the law and health regulations of the place where the death occurred, when said death occurs outside of the State of Nevada, shall be accepted by that local health officer of the district, into which the body has been transported for burial or other disposition, as a basis upon which he shall issue a local burial permit, in the same way as if the death occurred in his district; he shall plainly enter upon the face of the burial permit the fact that it was a body shipped in for interment, and gave the actual place of death; but a burial permit shall not be required from the local health officer of the district in which interment is made, when a body is removed from one district in Nevada to another in this state, for purpose of burial or other disposition, either by common carrier, hearse, or other conveyance, and no local health officer shall require from undertakers or persons acting as undertakers any fee for the issue of burial or removal permits under this act. Proviso

SEC. 24. That still-born children or those dead at birth shall be registered as births and also as deaths, and a certificate of both the birth and death shall be filed with the local health officer, in the usual form and manner, the certificate of birth to contain in place of the name of the child, the word "still-birth." The medical certificate of the cause of death shall be signed by the attending physician, if any, and shall state the cause of death as "still-born," with the cause of the still-birth, if known, whether a premature birth, and, if born prematurely, the period of uterine gestation, in months if known; and a burial or removal permit in the usual form shall be required. Midwives shall not sign certificates of death for still-born children; but such cases, and still-births occurring without attendance of either physician or midwife, shall be treated as deaths without medical attendance, as provided for in section 8 of this act. Still-birth recorded as both birth and death

SEC. 25. The secretary shall receive for his services a salary of fifteen hundred dollars per year, payable in equal monthly payments, and when necessary, he shall be allowed the sum of three hundred dollars a year for a stenographer; he shall also be allowed a sum not to exceed one hundred dollars a year to provide a suitable office for the conduct of the affairs of the state board of health. Salary of secretary, and office expenses

SEC. 26. For the purpose of carrying out the provisions of this act the sum of five thousand dollars is hereby appropriated out of any money in the general fund not otherwise appropriated, and the state controller is hereby authorized to draw his warrant on the state treasury for the amount of these claims or other necessary expenditures, when approved by the state board of health, and the state treasurer is hereby directed to pay the same. Appropriation

SEC. 27. The state board of health is hereby declared to be

State board supreme in health matters supreme in all health matters and they are empowered to remove any deputy or local health officer for any violation of any of the provisions of this act.

Sections herein declared independent of each other Sec. 28. Each section of this act and every part of each section thereof is hereby declared to be independent sections and parts of sections and the holding of any section or part thereof to be void or ineffective for any cause shall not be deemed to affect any other section or part thereof.

Printing Sec. 29. The state printer shall supply to the state board of health all stationery, blanks and bound books that may be required on a requisition of the secretary of said board.

Repeal Sec. 30. All acts or parts of acts in conflict with this act are hereby repealed.

CHAP. 200—*An act to provide for the relief of Guy Guinan.*

[Approved March 27, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Relief of Guy Guinan SECTION 1. The sum of three hundred and fifty (\$350) dollars is hereby appropriated out of any moneys in the general fund of the state treasury, not otherwise appropriated, to be paid to Guy Guinan, for services as assistant clerk in the office of clerk of supreme court, for the months of January, February and the first ten days of March, during the year 1911.

Duties of controller and treasurer Sec. 2. The state controller is hereby directed to draw his warrant in favor of the said Guy Guinan for the amount named in this act, and the state treasurer is hereby directed to pay the same.

CHAP. 201—*An act to amend an act entitled "An act creating the office of inspector of mines; fixing his duties and powers: providing for the appointment of a deputy and fixing the compensation of both; requiring certain reports and notices of accidents to be made to said inspector, and defining the duties of the attorney-general and district attorneys in relation to suits instituted by the inspector of mines," approved March 24, 1909, by amending section 5 and by adding additional sections thereto.*

[Approved March 27, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section five of said act is hereby amended to read as follows:

Inspector has full power to make investigations Section 5. Said state inspector of mines shall have full power and authority at all hours, to enter and examine any and all mines in this state, and shall have the right to enter into any and all mine stopes, levels, winzes, tunnels, shafts,

drifts, crosscuts, working and machinery for the purpose of such examination; and the owner, lessor, lessee, agent, manager or other person in charge of such mine or mines shall render the inspector such assistance as may be required by the inspector to enable him to make full, thorough and complete examination of each and every part of such mine or mines, and whenever as the result of the examination of any mine (whether such examination is made in consequence of a complaint, as hereinafter provided, or otherwise) the inspector shall find the same to be in an unsafe condition, he shall at once serve or cause to be served, a written notice upon the owner, lessor, lessee, agent, manager, or other person in charge of such mine, stating in detail in what particular the mine is dangerous or insecure, and shall require all necessary changes to be made, without delay, for the purpose of making said mine safe for the employees therein, and in the case of any criminal or civil proceedings at law against the party or parties so notified, on account of the loss of life or bodily injury sustained by an employee subsequent to the service of such notice, and in consequence of a neglect or refusal to obey the inspector's requirements, a certified copy served by the inspector shall be prima facie evidence of the culpable negligence of the party or parties so notified.

Inspector has full power to make investigations

SEC. 2. The following additional sections are added to said act to be numbered as follows:

Section 14. No blasting powder or any high explosive containing nitroglycerine shall be stored in any mine; *provided*, that nothing in this section shall be construed to prevent the operator of any mine from keeping sufficient blasting powder or other high explosive within such mine to meet the estimated requirements of such mine during the succeeding twenty-four hours; *and provided further*, that such temporary supply shall not be kept in any place within such mine, where its accidental discharge would cut off the escape of miners working therein. All blasting powder, or other high explosive, in excess of the temporary supply required in such mine shall be stored in a magazine not less than three hundred feet distant from any shaft, adit, habitation, public highway or public railway.

Amount of powder limited to underground

Section 15. Companies shall at all times furnish the miners with wooden tamping bars to be used in loading or charging holes, and any one using a steel or metal tamping bar shall be guilty of a misdemeanor, and upon conviction in a competent court shall be fined not less than five dollars nor more than fifty dollars for each and every offense.

Wooden tamping bars must be used

Section 16. All timber removed shall, as soon as practicable, be taken from the mine and shall not be piled up and permitted to decay underground.

Dead timber must be taken away

Section 17. All hoisting machinery using steam, electricity, gasoline or hydraulic motive power, for the purpose of hoisting or lowering into metalliferous mines, employees and

Indicator must be used

material, shall be equipped with an indicator to be placed in plain view of engineer.

As to riding on loaded buckets Section 18. All persons shall be prohibited from riding upon the cage, skip or bucket loaded with tools, timber, powder or other material, except for the purpose of assisting in passing same through shaft or incline, and then only on special signal.

Shafts to have two compartments, when Section 19. All shafts shall be equipped with ladders, and shafts more than 200 feet in depth inclined more than 45 degrees from the horizontal equipped with hoisting machinery shall be divided into at least two compartments; one compartment to be partitioned off and set aside for a ladderway. The ladders shall be sufficiently strong for the purpose demanded and landings shall be constructed not more than thirty feet apart; said landing to be closely covered except an opening large enough to permit the passage of a man. A landing shall be constructed in manway at all working levels.

Ladders and landings

Ladders in upraises and winzes shall be provided and kept in repair, but where winzes or raises connecting levels are used only for ventilation and exit, only one such on each level need be equipped.

Bulkhead or trap door near collar of shaft Section 20. In every mine within this state, if more than 200 feet in depth, where a single shaft affords the only means of egress to persons employed underground and the ladderway compartment is covered by a nonfireproof building, it shall be the duty of the operator of said mine to cause said ladderway to be securely bulkheaded or a trap door placed over same at a point at least twenty-five feet below the collar of the shaft, and if a trap door is used it must be kept closed or so arranged that it can be closed from a point outside of the building by the releasing of a rope, and below this bulkhead or trap door, if the shaft is situated upon a side hill, a drift shall be driven to the surface, and if the shaft containing said ladderway may be otherwise situated, this drift shall be driven on a level to a safe distance, but in no case less than thirty feet beyond the walls of the building covering the main shaft and from such a point a raise shall be made to the surface. The said raise shall be equipped with a ladderway and it, together with the drift connecting with the main shaft, shall be kept in good repair and shall afford an easy exit in the event of fire.

Signboards, when Section 21. Whenever the exit or outlet from a mine is not in a direct or continuous course signboards plainly marked showing the direction to be taken must be placed at each departure from the continuous course.

No gasoline underground

Section 22. Use of gasoline underground is forbidden.

Precautions in sinking shaft

Section 23. Employees engaged in sinking shaft or incline shall at all times be provided with chain or other kind of ladder so arranged as to insure safe means of exit.

Section 24. At all shaft stations a guard rail or rails shall

be provided and kept in place across the shaft, in front of the level, so arranged that it will prevent persons from walking, falling or pushing a car or other conveyance into the shaft.

Guard rails
at stations
and winzes

All winzes and all mill holes shall be covered or surrounded with guard rails to prevent persons from stepping or falling into the same.

Section 25. The cage or cages in all shafts over 350 feet in depth shall be provided with sheet-iron or steel casing, not less than $\frac{1}{8}$ inch thick, or with a netting composed of wire not less than $\frac{1}{8}$ inch in diameter and with doors made of the same material as the side casing, either hung on hinges or working in slides. These doors shall extend at least four feet above the bottom of the cage and must be closed when lowering or hoisting men, except timbermen riding on the cage to attend to timbers that are being lowered or hoisted; *provided*, that when such cage is used for sinking only, it need not be equipped with such doors as are hereinbefore provided for. Every cage must have overhead bars of such arrangement as to give every man on the cage an easy and secure handhold.

Cages to be
encased, and
have other
safety
appliances

Section 26. A pillar of ground shall be left standing on each side of the shaft of sufficient dimensions to protect and secure the same, and in no case shall stoping be permitted up to or within such close proximity to the shaft as to render the same insecure, until such time as the shaft is to be abandoned and the pillar withdrawn.

Shaft
protected

Close stoping
prohibited

Section 27. It shall be unlawful for the operator of any mine within this state to erect any structure over the shaft of any mine, except head frames necessary for hoisting from such shaft or outlet, and the hatch or door necessary for closing such shaft or outlet; *provided, however*, it shall be lawful to erect a housing of noninflammable and fireproof material over such shaft or adit to protect the men working at such point. In the case of existing houses covering the mouths of shafts or adits, it shall be the duty of the superintendent of the mine to cause the immediate removal of all inflammable material stored therein and it shall be the further duty of such superintendent to prohibit the storage of any inflammable material thirty feet from the exterior walls of any housing hereinafter built.

Shafthouses,
provisions
regarding

Section 28. It shall be the duty of every operator to provide every tunnel or adit level, the mouth of which is covered by a house or building of any kind, with a door near the mouth of the same, that can be closed from the outside of the building by a pull wire or cable in the event of fire; inside of door a raise shall be run to connect with surface, thus affording a means of exit in case of fire.

Buildings at
mouths of
tunnels

Section 29. It shall be unlawful to use in any mine, any rope or cable for hoisting or lowering either men or material, when such hoisting or lowering is done by any means other than human or animal power, unless such rope or cable shall

Hoisting
ropes must
be of iron or
steel

be composed of iron or steel wires, with a factor of safety determined as hereinafter set forth; *provided*, that such iron or steel wires may be laid around a hemp center.

Factor of
safety
established

The factor of safety of all ropes or cables shall in no case be less than five, and shall be calculated by dividing the breaking strength of the rope as given in the manufacturer's published tables, by the sum of the maximum load to be hoisted, plus the total weight of the rope in the shaft when fully let out, plus 10 per cent of such values, to take account of shock at starting and stopping.

Further reg-
ulations
regarding
hoisting
ropes

Section 30. It shall be unlawful to use any rope or cable for the raising or lowering of men, either when the number of breaks in any running foot of said rope exceeds 10 per cent of the total number of wires composing the rope, or when the wires on the crown of the strands are worn down to less than one-half their original diameter, or when it shows marked signs of corrosion.

Boilers must
be regularly
examined

Section 31. All boilers used for generating steam in and about mines shall be kept in good order and the owner, operator or superintendent shall have them examined and inspected by a qualified person as often as once in six months, and oftener if the inspector or his deputy shall deem it necessary. The result of such examination shall be certified in writing to the inspector within thirty (30) days thereafter.

Hoisting
prohibited
during
repairs.

Section 33. No hoisting shall be done in any compartment of a shaft while repairs are being made in that compartment, excepting such hoisting as is necessary in order to make such repairs.

Wages not
paid in liquor
houses

Section 34. Wages shall not be paid on any premises used for the sale of intoxicating liquors.

Proper ven-
tilation
must be
maintained

Section 35. The operator of every mine, whether operated by shaft, stope or drift, shall provide and maintain for every such mine a good and sufficient amount of ventilation for such men and animals as may be employed therein and shall cause an adequate amount of pure air to circulate through and into all shafts, winzes, levels and all working places of such mine.

Solitary
employment
regulated

Section 36. That no man be allowed to work in a stope at such a distance from another that his cries, in case of need, cannot be heard.

Engineer
must be
employed

Section 37. That at all times when men are in a mine, worked through a shaft, equipped with hoisting machinery, an engineer shall be kept on duty to answer signals.

Riding on
cable or bail
unlawful

Section 38. It shall be unlawful for any person to ride upon the bail or cable of a hoisting bucket, cage or skip.

Notice of
maximum
number on
cage must be
posted

Section 39. Notice of the maximum number of men permitted to ride upon or in the cage, skip or bucket, at one time, shall be posted at the collar of the shaft and each level.

Overloading
cage
punished

All men or employees riding upon or in an overloaded cage, skip or bucket as provided in notice so posted, shall be guilty of a misdemeanor, and upon conviction in a competent court.

shall be fined not less than five dollars nor more than fifty dollars for each and every offense.

Section 40. At all mines where hoisting apparatus is used in the State of Nevada, the following code of bell signals shall hereafter be adopted and used: Official code of bell signals

1 Bell—Hoist; 1 Bell—Stop (if in motion).

2 Bells—Lower.

3 Bells—Men on, run slow.

When men are to be hoisted or lowered, give the signal for "men on, run slow" (3 bells). Men must then get on cage or bucket, then give the signal to hoist or lower (1 or 2 bells).

4 Bells—Blasting signal; engineer must answer by raising bucket a few feet and letting it back slowly; then 1 bell—hoist men away from blast.

9 Bells—Danger signal (in case of fire or other danger) then ring number of station where danger exists; engineer must slow up when passing stations when men are on the cage.

STATION BELLS

2 Bells, Pause,	1 Bell,	Station No. 1
2 Bells, Pause,	2 Bells,	Station No. 2
2 Bells, Pause,	3 Bells,	Station No. 3
2 Bells, Pause,	4 Bells,	Station No. 4
2 Bells, Pause,	5 Bells,	Station No. 5
3 Bells, Pause,	2 Bells,	Station No. 6
3 Bells, Pause,	3 Bells,	Station No. 7
3 Bells, Pause,	4 Bells,	Station No. 8
3 Bells, Pause,	5 Bells,	Station No. 9
4 Bells, Pause,	1 Bell,	Station No. 10
4 Bells, Pause,	2 Bells,	Station No. 11
4 Bells, Pause,	3 Bells,	Station No. 12
4 Bells, Pause,	4 Bells,	Station No. 13
4 Bells, Pause,	5 Bells,	Station No. 14
5 Bells, Pause,	1 Bell,	Station No. 15

Code of signals

Where electric bells are used in connection with other bells:

If cage is wanted, ring station signal. Station tender will answer 1 Bell.

Reply 1 Bell to go up.

Reply 2 Bells to go below.

If station is full of ore and station tender is wanted, ring station signal and do not answer back.

2-1-2 Bells are rung, engineer or station tender does not understand, repeat signal.

In case of danger or accident, ring station signal, station tender will reply 1 Bell; ring 9 Bells.

Signals not in conflict with the above code may be used to meet local conditions, but the same must be posted in connection with the above code. Additional signals not conflicting may be used

One copy of this code should be posted on the gallows frame, one before the engineer and one at each station. Code to be posted

Smoke
helmets to be
maintained

Section 41. At every mine in this state employing forty or more men underground, there shall be kept on hand at all times in good working condition at least two smoke helmets of a design to be approved by the state mining inspector, and which helmets shall at all times be subject to his inspection. For every additional fifty men so employed an additional smoke helmet shall be provided.

Penalties for
noncompliance with
this act

Section 42. Any owner, agent, manager or lessee, whether individual partnership or corporation operating a mine in this state who fails to comply with the provisions herein set forth, or either or any thereof, shall be deemed guilty of a misdemeanor and when not otherwise provided shall be liable to a fine of not less than one hundred (\$100) dollars nor more than five hundred (\$500) dollars, or by imprisonment in the county jail for a period of not less than thirty (30) days nor more than six (6) months, or by both such fine and imprisonment. For each provision not complied with and each day after conviction of failure to comply with any provision thereof shall be deemed a separate offense and punished accordingly.

Repeal

Section 43. All acts and parts of acts in conflict with any of the provisions of this act are hereby repealed.

CHAP. 202—*An act to amend an act entitled "An act requiring certain mining corporations to file statements with the county recorders and attorney-general, and to mail copies thereof to stockholders; regulating the issuance and sale of certain treasury and promotion stock and defining the same for the purposes of this act; declaring certain acts to be unlawful; providing penalties for the violation thereof, and other matters relating thereto," approved March 5, 1909.*

[Approved March 27, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of said act is hereby amended so as to read as follows:

Mining com-
panies to file
statements
with secre-
tary of state

Section 1. Every corporation owning, claiming, holding, leasing or engaged in the business of working or developing any mining claim or mining property, or interest therein, in the State of Nevada, and selling or offering for sale, either directly or indirectly, any of its shares or capital stock shall, within sixty days after the expiration of the first six months of its existence as a corporation, and annually thereafter within sixty days after the first day of the month provided by its by-laws for its annual meeting of stockholders, file in the office of the county recorder of each county wherein such mining

property is situated, and in the office of the attorney-general of this state, a statement duly subscribed and sworn to before a notary public (or other officer authorized by law to administer oaths), by its president or vice-president and its secretary, if it is a domestic corporation, and also by its resident agent, if a foreign corporation; *provided, however*, that the failure of the by-laws of any such corporation to provide a date for the annual meeting of the stockholders thereof shall not excuse said corporation from filing such a statement once during each calendar year. Said statement shall cover the period of time between that embraced in the previous statement filed in accordance herewith and the first day of the month in which said annual meeting is to be held, or in the event that such statement is the first statement to be filed by any corporation in conformity with this act, such statement shall cover the first six months of the existence of such corporation. Said statement shall contain the following facts and information:

What
statement
shall contain

(a) The name of each mining claim and the total number of such claims or fractions thereof owned or leased, and the number thereof being worked and developed, also the county and mining district (if there be one) wherein said claims are located, and the nearest postoffice and the distance therefrom, as near as can be ascertained.

(b) The nature of the title thereof, or interest therein, whether leasehold or otherwise, also the date each claim or interest therein was purchased, leased or otherwise acquired by such corporation.

(c) The character, value and a general description of all buildings, works, machinery and other improvements on each unpatented claim, and the character, value and a general description of all buildings, works, machinery and other improvements being actually used or operated by such corporation on its patented ground, taken as a whole; *provided, however*, that where several unpatented claims belonging to such corporation are contiguous and are being developed as a group said statement may state the character, value and a general description of all buildings, works, machinery and other improvements on said entire group of unpatented claims.

(d) The total amount and a description of the development work done upon each unpatented claim, if any, and upon the entire patented property, if any, since the work reported in the last statement filed as herein provided, or during the first six months of the existence of said corporation, if the statement be the first one filed in accordance with the provisions of this act, and the total sum of money or other valuable consideration, given or paid out therefor; *provided, however*, that where several unpatented mining claims belonging to such corporation are contiguous, and the development work thereon has been done on one or more of said claims for the benefit of the entire group, said statement may state the amount and description of the work done for the entire group, and the total

What
statement
shall contain

sum of money, or other valuable consideration, given or paid out therefor.

(e) The total number of shares such corporation is by law authorized to issue and the different classes and par value thereof.

(f) The total number of shares of stock originally set aside by such corporation, if any, in its treasury or otherwise to sell or otherwise dispose of for the purpose of working, developing or otherwise improving any patented or unpatented mining claim, or claims, owned or leased or being worked or developed by such corporation and the total amount of money realized from the sale of any portion thereof since the sales thereof reported in the last statement filed in accordance with the provisions of this act, or during the first six months of the existence of such corporation in the event that such statement is the first to be filed by said corporation in accordance herewith.

(g) The total number of shares of treasury stock sold, and the total sum of money or other consideration received therefor since the sales thereof reported in the last statement filed in accordance with the provisions of this act, or during the first six months of the existence of such corporation in the event that such statement is the first to be filed in accordance herewith, and the number of shares of treasury stock remaining unsold.

(h) The amount of money, if any, actually paid by such corporation to each of its officers, superintendents, or to other persons, exclusive of persons included in subdivisions of this section, as salary or compensation for services rendered such corporation, stating the nature of such services; also, the respective amounts, if any, expended for advertising and as commissions for sales of stock, since the sales thereof reported in the last statement filed in accordance with the provisions of this act, or during the first six months of the existence of such corporation in the event that such statement is the first filed in accordance herewith.

(i) The total value of the ore produced from the property of such company since the production reported in the last statement filed in accordance with the provisions of this act, or during the first six months of the existence of such corporation in the event that such statement is the first to be filed by such corporation in accordance herewith.

The affidavit required by this section shall state in substance as follows:

Affidavit to
statement

That affiant is the president (or other officer of such corporation, or other person required to make affidavit) and has read the foregoing statement, and knows the contents thereof; that the same is true and correct to the best of his knowledge and belief.

SEC. 2. Section five of said act is hereby amended so as to read as follows:

Section 5. All stocks or shares of every mining corporation doing business in this state that have been, or shall be specifically set aside to sell for money or other valuable consideration, and the proceeds of which are to be used for the actual development of the mineral resources of any mining claim, or claims, or for the purpose of making necessary or useful improvements thereon, or for the purpose of maintaining such corporation, or preserving or enhancing its assets, are hereby deemed and declared to be treasury stock, and all other stock of such corporation is hereby deemed and declared to be promotion stock, within the meaning of this act.

Treasury stock and promotion stock defined

CHAP. 203—*An act to provide a temporary structure for the preservation and exhibition of the library, manuscripts, museum and collections of the Nevada Historical Society.*

[Approved March 28, 1911]

WHEREAS, The Nevada Historical Society, a state institution, has already on hand, and is rapidly accumulating books, pamphlets, periodicals, newspapers, manuscripts, pictures, mineral specimens, pioneer, Indian and other curios, for which its present quarters are wholly inadequate; and

Preamble

WHEREAS, No suitable place for the housing of these priceless materials is available; and

WHEREAS, Many valuable historical materials are being held from the society until better quarters shall be procured; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of five thousand dollars is hereby appropriated out of any moneys of the general fund in the state treasury, not otherwise appropriated, to be expended under the direction and according to the best judgment of the executive council of the Nevada Historical Society in the leasing or purchase of a site in the city of Reno or in Carson City, if a suitable one is not donated, to erect and equip an iron structure as a temporary library and museum for the preservation and display of the books, manuscripts, relics, curios and material held by the society in trust for the state, and to pay for all plans, advertising and supervision connected with the erection of building or structure. Not more than two thousand dollars shall be paid for the site, if a suitable one is not donated, and any lease or deed of any land donated or purchased shall be taken in the name of the State of Nevada and held in trust by the society, under the control of the executive council thereof, for the state.

Appropriation for building

To be either in Reno or in Carson City

SEC. 2. The executive council shall advertise for bids for the construction of the building, in such manner and form as

Bids to be advertised for

it may deem proper, in some daily newspaper published in this state, for a period of at least thirty days prior to receiving bids, and may reject any and all bids and readvertise in the same manner.

Claims, how paid SEC. 3. All claims or demands for the construction or equipment of, or against said building, shall be subject to the approval of said executive council and the board of examiners, and shall be audited and paid as other claims against the state.

CHAP. 204—*An act to amend an act entitled "An act to promote the public safety by requiring railroad companies to provide adequate train crews, and defining such crews, and prescribing a penalty for the violation of the provision thereof," approved February 21, 1911.*

[Approved March 28, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of the said act is hereby amended so as to read as follows:

Train crew of four, when Section 1. It shall be unlawful for any railroad company or receiver of any railroad company, doing business in the State of Nevada, to run over its road or part of its road outside the yard limits, any passenger train consisting of two cars or less, exclusive of engine and tenders, with less than a crew consisting of four persons, one engineer, one fireman, one conductor and one brakeman, who will act in the capacity of flagman.

SEC. 2. Section two of the said act is hereby amended so as to read as follows:

Train crew of five, when Section 2. It shall be unlawful for any railroad company, or receiver of any railroad company, doing business in the State of Nevada, to run over its road or part of its road outside of the yard limits, any passenger train consisting of three cars or more, exclusive of engine and tenders, with less than a crew consisting of five persons, one engineer, one fireman, one conductor, one brakeman, and one flagman.

SEC. 3. Section three of said act is hereby amended so as to read as follows:

Penalty for noncompliance Section 3. Any railroad company or receiver of any railroad company doing business in the State of Nevada, which shall violate any of the provisions of this act shall be liable to the State of Nevada for a penalty of not less than one hundred dollars (\$100) or more than one thousand dollars (\$1,000) for each offense; and such penalty shall be recovered and suit brought in the name of the State of Nevada in a court of proper jurisdiction in any county in or through which such line of railroad may run, by the attorney-general, or under his direc-

tion, or by the district attorney in any county through which such lines of railroad may be operated.

Sec. 4. Section four of said act is hereby amended so as to read as follows:

Section 4. The provisions of this act shall not apply to or include any railroad company, or receiver or manager thereof, or any line of railroad in this state less than ninety-five miles in length. Applies to
railroads
longer than
95 miles

Sec. 5. Section five of the said act is hereby amended so as to read as follows:

Section 5. This act shall not be deemed to be in conflict with, or to repeal, but supplementary to "An act to promote the public safety by requiring common carrier railroads to provide adequate train crews and defining such crews." Supplemen-
tary to
original act

CHAP. 205—*An act to repeal certain obsolete acts and to specifically repeal certain acts heretofore repealed by implication.*

[Approved March 17, 1911]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1.

- An act to regulate official oaths, approved October 30, 1861;
- An act relative to bills of exchange and promissory notes, approved October 31, 1861; Repealing
certain
obsolete acts
- An act concerning judgments of the probate court of Carson County, approved October 31, 1861;
- An act to exempt the homestead and other property from forced sale in certain cases, approved November 13, 1861;
- An act relating to wild game and fish, approved November 21, 1861;
- An act concerning coroners, approved November 28, 1861;
- An act relative to district attorneys, approved November 28, 1861;
- An act to provide for the assessing and collecting county and territorial revenue, approved November 29, 1861;
- An act to provide revenue for the support of the government of the United States, approved November 29, 1861;
- An act to regulate fees and costs, approved November 29, 1861;
- An act to provide for taking the census, and apportioning the representation of the legislative assembly of the Territory of Nevada, approved November 29, 1861;
- An act to fix the time of the meeting of the legislative assembly of the Territory of Nevada, approved November 29, 1861;
- An act creating the office, and defining the duties of territorial treasurer, approved November 29, 1861;
- An act to provide for the filling of vacancies in office, approved November 29, 1861;

- Repealing
certain
obsolete acts
- An act creating the office, and defining the duties of territorial auditor, approved November 29, 1861;
 - An act to increase the representation of the legislative assembly of the Territory of Nevada, approved November 29, 1861;
 - An act defining the judicial districts, fixing the terms of the supreme and district courts of the territory, locating the county-seats of the several counties of the territory, and providing for the transfer and trial of actions, approved November 29, 1861;
 - An act to provide a seal for the Territory of Nevada, approved November 29, 1861;
 - An act in relation to holding terms of probate courts, approved November 29, 1861;
 - An act to fix the salary of the territorial superintendent of public instruction, approved November 29, 1861;
 - An act to authorize the secretary of the territory to receive compensation for certain duties pertaining to his office, approved November 29, 1861;
 - Joint resolution, establishing an enacting clause for all future acts of the legislative assembly of the Territory of Nevada, approved November 5, 1861;
 - An act supplemental to and amendatory of "An act relating to elections, and the mode of supplying vacancies," passed at the first session of the legislative assembly of the Territory of Nevada, approved November 29, 1861;
 - An act to amend and supplemental to an act entitled an act to amend and supplemental to an act to provide for the assessing and collecting county and territorial revenue, passed at the second session of the legislative assembly, approved December 10, 1862;
 - An act to provide for the obtainment, preservation, and distribution of vaccine matter, approved December 12, 1862;
 - An act to change the time of meeting of the legislative assembly of the territory, approved December 12, 1862;
 - An act fixing the time for acts and joint resolutions to take effect, approved December 17, 1862;
 - An act prescribing the manner of applying for pardons, approved December 17, 1862;
 - An act to amend an act entitled an act in relation to the militia of the Territory of Nevada, approved November twenty-eighth, eighteen hundred and sixty-one, approved December 19, 1862;
 - An act supplementary to and amendatory of an act entitled an act to provide increased compensation to the governor, justices of the supreme court, and other officers, in the Territory of Nevada, approved December 19, 1862;
 - An act amendatory and supplemental to an act entitled an act to provide for the assessing and collecting of the county and territorial revenue, approved November twenty-ninth, eighteen hundred and sixty-one, approved November 19, 1862;

- An act to provide for the election of probate judges and prosecuting attorneys, and defining their duties, approved December 19, 1862; Repealing certain obsolete acts
- An act authorizing clerks of district courts to appoint deputies, approved December 19, 1862;
- An act to provide increased compensation to the justices of the supreme court, and other officers, in the Territory of Nevada, approved December 19, 1862;
- An act to consolidate the offices of sheriff and collector in certain counties, approved December 19, 1862;
- An act to provide for the preservation of files of the various newspapers published in the Territory of Nevada, approved December 19, 1862;
- An act in relation to bills of exchange and other negotiable instruments, approved December 18, 1862;
- An act extending the jurisdiction of the probate courts of this territory, approved December 19, 1862;
- An act authorizing the county commissioners of the several counties to cause the county lines to be established, approved December 19, 1862;
- An act to create a cash contingent fund in certain counties, approved December 19, 1862;
- An act to amend an act entitled an act to regulate the settlement of the estates of deceased persons, approved November twenty-ninth, eighteen hundred and sixty-one, approved December 19, 1862;
- An act to amend an act entitled an act establishing a common school system for the Territory of Nevada, approved November twenty-ninth, eighteen hundred and sixty-one, approved December 20, 1862;
- An act to provide for the appointment of clerks in the territorial auditor and treasurer departments, and to provide for the payment of contingent expenses of such offices, approved December 20, 1862;
- An act appointing a board of commissioners to have charge of the territorial prison, approved December 20, 1862;
- An act supplementary to and amendatory of an act to provide for the election of probate judges and prosecuting attorneys and defining their duties, passed at the second session of the legislative assembly of the territory of Nevada, approved December 20, 1862;
- An act to amend and supplemental to an act to provide for the assessing and collecting county and territorial revenue, approved December 20, 1862;
- An act to prevent extortion in office, and to enforce official duty, approved December 20, 1862;
- An act to amend an act entitled an act to provide for the appointment of notaries public, approved December 20, 1862;

Repealing
certain
obsolete acts

- An act amendatory of an act entitled an act defining the judicial districts, fixing the terms of the supreme and district courts of the territory, locating the county-seats of the several counties of the territory, and providing for the transfer and trial of actions, approved November twenty-ninth, eighteen hundred and sixty-one, approved December 22, 1862;
- An act amendatory to an act entitled an act to regulate fees and costs, approved November twenty-ninth, eighteen hundred and sixty-one, approved December 23, 1862;
- An act amendatory of and supplemental to an act entitled an act to amend and supplemental to an act to provide for the assessing and collecting county and territorial revenue, approved February 20, 1864;
- An act defining the first judicial district, defining the terms of court therein, and assigning the Hon. J. W. North thereto, approved January 27, 1864;
- An act to provide for a territorial prison, approved February 20, 1864;
- An act to amend an act entitled "An act to amend an act entitled an act establishing a common school system for the Territory of Nevada, approved November twenty-ninth, eighteen hundred and sixty-one," approved December 20, 1862, approved February 16, 1864;
- An act to allow appeals in cases of forcible entry and unlawful detainer, approved February 20, 1864;
- An act in relation to probate judges in certain counties of the territory, approved February 18, 1864;
- An act amendatory of and supplemental to "An act establishing a common school system for the Territory of Nevada," approved November 29, 1861, approved February 18, 1864;
- An act amendatory of an act entitled "An act extending the jurisdiction of the probate courts of this territory," approved February 16, 1864;
- An act to provide increased compensation to the territorial auditor, approved February 20, 1864;
- An act to provide increased compensation to the governor of the Territory of Nevada, approved February 16, 1864;
- An act to amend an act entitled "An act creating board of county commissioners, and defining their duties, approved February 20, 1864;
- An act amendatory of an act to amend an act entitled "An act establishing a common school system for the Territory of Nevada, approved November 29, 1861," approved December 20, 1862, approved February 18, 1864;
- An act to exempt firemen from militia service and jury duty, approved February 20, 1864;
- An act to amend an act entitled "An act relating to wild game and fish," approved November 21, 1861, approved February 20, 1864;

- An act amendatory of "An act to amend an act in relation to the militia of the Territory of Nevada," approved November 28, 1861, approved February 20, 1864; Repealing certain obsolete acts
- An act amendatory of "An act defining the judicial districts, fixing the terms of the supreme and district courts of the territory, locating the county-seats of the several counties of the territory, and providing for the transfer and trial of actions," approved November 29, 1861, approved February 16, 1864;
- An act amendatory of an act entitled "An act to provide for the election of probate judges and prosecuting attorneys, and defining their duties," approved December 19, 1862, approved February 20, 1864;
- A bill for an act to attach Roop County to Washoe County, for judicial, legislative and revenue purposes, approved February 18, 1864;
- An act to provide for the election of delegates to congress, approved February 20, 1864;
- An act amendatory of, and supplementary to, an act entitled "An act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada," approved November 29, 1861, approved January 4, 1865;
- An act to create the office of state printer, define the duties and compensation thereof, and provide for the time and manner of election, approved January 10, 1865;
- An act in relation to the compensation of members of the legislature and state officers, approved January 16, 1865;
- An act to provide for the payment of the salaries of the judges of the supreme court of the State of Nevada, approved January 17, 1865;
- An act to tax and regulate foreign insurance companies doing business in this state, became a law January 24, 1865;
- An act establishing the terms of court, and the manner of transacting business therein, by the judges of the first judicial district, approved February 6, 1865;
- An act to authorize the survey, and to establish the western boundary line of the State of Nevada, approved February 7, 1865;
- An act supplementary to an act of the legislature of the State of Nevada passed at the first session, entitled "An act to tax and regulate foreign insurance companies doing business in this state," approved February 9, 1865;
- An act fixing the terms of the courts of justice of the State of Nevada, approved February 13, 1865;
- An act to create a secret service fund, approved February 21, 1865;
- An act to amend an act of the legislative assembly of the Territory of Nevada, entitled "An act to amend an act to regulate proceedings in the courts of justice in this territory," approved February twentieth, one thousand eight hundred and sixty-four, approved March 3, 1865;

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obsolete acts

- An act to amend an act entitled "An act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one, approved March 4, 1865;
- An act to amend section two hundred and nineteen of an act entitled "An act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one, approved March 6, 1865;
- An act in relation to the collection of taxes now delinquent, approved March 8, 1865;
- An act concerning trade marks and names, approved March 8, 1865;
- An act to amend an act entitled "An act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one, approved March 8, 1865;
- An act to authorize the state treasurer to employ a clerk, and fixing his compensation, approved March 9, 1865;
- An act to amend an act entitled "An act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one, approved March 9, 1865;
- An act to provide for the formation of corporations for certain purposes, approved March 10, 1865;
- An act providing offices for certain state officers, approved March 10, 1865;
- An act for the relief of insolvent debtors and protection of creditors, approved March 10, 1865;
- An act to amend an act to authorize the survey and to establish the western boundary line of the State of Nevada, approved February seventh, one thousand eight hundred and sixty-five, approved March 10, 1865;
- An act to encourage enlistments, and provide bounties and extra pay for our volunteer soldiers called into the service of the United States, became a law March 11, 1865;
- An act to amend an act entitled "An act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one, approved March 11, 1865;
- An act supplemental to an act to provide for the government of the state prison, approved March fourth, one thousand eight hundred and sixty-five and to repeal certain acts in relation thereto, approved March 14, 1865;
- An act to carry out the provisions of section sixteen of article six of the state constitution, approved March 15, 1865;

- An act to extend the provisions of an act entitled "An act to provide for the formation of corporations for certain purposes," approved March 10, 1865, to corporations created prior to that time; and to confirm proceedings taken for the purpose of disincorporating corporations, and for the purpose of increasing the capital stock of corporations, approved January 16, 1866; Repealing certain obsolete acts
- An act to amend an act entitled "An act to create the office of state printer, define the duties and compensation thereof, and to provide for the time and manner of elections," approved January 10, 1865, approved January 26, 1866;
- An act prescribing rules and regulations for the execution of the trust arising under the act of congress, entitled "An act for the relief of citizens of towns upon lands of the United States, under certain circumstances," approved May 23, 1844, approved January 31, 1866;
- An act to amend section one of an act to amend an act passed by the legislative assembly of the Territory of Nevada, entitled "An act to provide for the appointment of notaries and defining their duties, approved February 9, 1864," approved March 20, 1865, approved February 9, 1866;
- An act supplementary to an act entitled "An act to regulate fees and compensation for official and other services in the State of Nevada," approved March 9, 1865, approved February 15, 1866;
- An act to amend an act entitled "An act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865, approved February 24, 1866;
- An act to amend an act entitled "An act to provide for the formation of corporations for certain purposes," approved March 10, 1865, approved February 24, 1866;
- An act to amend an act entitled "An act to provide for the payment of the salaries of the judges of the supreme court of the State of Nevada," approved February 27, 1866;
- An act in relation to the payment of salaries and other claims against the state, approved February 27, 1866;
- An act for the apportionment of senators and assemblymen in the different counties of the state, approved February 27, 1866;
- An act to redistrict the State of Nevada into judicial districts, and to fix the salaries of judges and the terms of court therein, approved February 27, 1866;
- An act appointing a commissioner to prepare and report to the legislature, at its next regular session, for its adoption, a civil practice act, approved March 1, 1866;
- An act to amend an act relating to wild game and fish, approved November 21, 1861, approved November 20, 1864, approved March 1, 1866;

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obsolete acts

- An act concerning the salary of deputy secretary of state, approved March 1, 1866;
- An act to amend an act entitled "An act to provide for the formation of corporations for certain purposes," approved March 10, 1865, approved March 1, 1866;
- An act to further amend an act entitled "An act to provide revenue for the support of the government of the State of Nevada," approved March 1, 1866;
- An act to revise an act entitled "An act to amend section two hundred and nineteen of an act entitled an act to regulate proceedings in civil cases in the courts of justice in the Territory of Nevada," approved November 29, 1861, approved March 6, 1865; and to amend section two hundred and forty-three of an act entitled "An act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada," approved November 29, 1861, approved March 3, 1866;
- An act to amend an act entitled "An act to provide for the formation of corporations for certain purposes," approved March 10, 1865, approved March 3, 1866;
- An act in regard to currency, approved March 3, 1866;
- An act to provide for the condemnation of real estate and other property required for mining purposes, approved March 3, 1866;
- An act in relation to the salary of governor, and lieutenant-governor, as ex officio warden of the state prison, approved March 3, 1866;
- An act to provide for the reduction of the number of district judges in the first judicial district of the State of Nevada, and for other purposes, approved March 9, 1866;
- An act to amend an act entitled "An act to provide for the formation of corporations for certain purposes," approved March 10, 1865, as amended by an act approved March 1, 1866, approved February 1, 1867;
- An act to amend section twenty-four of an act to amend an act entitled "An act to regulate proceedings in the courts of justice in this territory," approved February twentieth, one thousand eight hundred and sixty-four, approved February 23, 1867;
- An act to amend an act entitled "An act for the relief of insolvent debtors, and protection of creditors," approved March tenth, eighteen hundred and sixty-five, approved March 2, 1867;
- An act to amend an act entitled "An act to provide revenue for the support of the government of the State of Nevada," approved March ninth, eighteen hundred and sixty-five, approved March 2, 1867;
- An act to amend an act entitled "An act in relation to the distribution of the reports of the supreme court of the State of Nevada," approved March 1, 1866, approved March 5, 1867;

- An act to amend an act entitled "An act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada," approved November twenty-ninth, one thousand eight hundred and sixty-one, approved March 5, 1867; Repealing certain obsolete acts
- An act authorizing the secretary of state to employ a clerk in the state library and adjutant-general's office, approved March 11, 1867;
- An act amendatory of an act entitled "An act in relation to the payment of salaries and other claims against the state," approved February 27, 1866, approved March 11, 1867;
- An act to amend section fifty-two of an act entitled "An act to regulate the settlement of the estates of deceased persons," approved November twenty-ninth, A. D. eighteen hundred and sixty-one, approved March 11, 1867;
- An act concerning the fees of justices of the peace, approved March 11, 1867;
- An act to amend an act entitled "An act to provide revenue for the support of the government of the State of Nevada," approved March ninth, one thousand eight hundred and sixty-five, approved March 11, 1867;
- An act to amend section fifty-eight of an act entitled "An act to provide revenue for the support of the government of the State of Nevada," approved March ninth, one thousand eight hundred and sixty-five, approved March 12, 1867;
- An act amendatory of an act entitled "An act relating to the support of the poor," approved November 29, 1861, approved March 13, 1867;
- An act to amend an act entitled "An act to amend an act entitled an act to regulate proceedings in civil cases in the courts of justice of the Territory of Nevada, approved November twenty-ninth, one thousand eight hundred and sixty-one," approved March ninth, one thousand eight hundred and sixty-five, approved March 13, 1867;
- An act to further prescribe rules and regulations for the execution of the trusts arising under the act of congress, approved May 23, 1844, entitled "An act for the relief of citizens of towns upon lands of the United States under certain circumstances," approved March 13, 1867;
- An act to amend an act entitled "An act to amend section one of an act to amend an act, passed by the legislative assembly of the Territory of Nevada, entitled an act to provide for the appointment of notaries and defining their duties, approved February ninth, one thousand eight hundred and sixty-four, approved March twentieth, one thousand eight hundred and sixty-five," approved February ninth, one thousand eight hundred and sixty-six, approved March 13, 1867;

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- An act to provide for fostering and supporting the Nevada orphan asylum, a duly incorporated benevolent institution, located at Virginia City, approved March 19, 1867;
- An act to amend an act entitled "An act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865, as amended by an act entitled "An act to amend an act entitled 'An act to provide revenue for the support of the government of the State of Nevada,' approved March 9, 1865," approved February 24, 1866, approved April 2, 1867;
- An act supplementary to an act entitled "An act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865, and the acts amendatory thereof; and providing for levying and collecting revenue for county purposes, and further prescribing the powers and duties of the boards of county commissioners of the several counties of this state relative thereto, approved April 2, 1867;
- An act amendatory of and supplementary to an act entitled "An act prescribing rules and regulations for the execution of the trust arising under the act of congress, entitled 'An act for the relief of citizens of towns, upon lands of the United States, under certain circumstances, approved May 23, 1844,'" approved January 31, 1866, approved April 10, 1867;
- An act to amend an act entitled an act to provide for the publication of the decisions of the supreme court of the State of Nevada, approved January 30, 1869;
- An act supplementary to an act entitled "An act to establish the financial transactions of the state on a coin basis," approved February 2, 1869, and making provisions by which county commissioners and municipalities may be enabled to carry out the provisions thereof, approved February 26, 1869;
- An act to redistrict the State of Nevada, approved February 27, 1869;
- An act to amend an act entitled "An act to create the office of state printer, define the duties and compensation thereof, and provide for the time and manner of election," approved January 10, 1865, approved February 27, 1869;
- An act to amend section 84 of an act entitled "An act to amend 'An act to provide revenue for the support of the government of the State of Nevada,' approved March 9, 1865," approved February 24, 1866, approved February 27, 1869;
- An act to amend an act entitled "An act to provide for the formation of corporations for certain purposes," approved March 10, 1865, approved February 27, 1869;

- An act to amend an act entitled "An act in relation to fines," approved January 28, 1867, approved March 1, 1869; Repealing certain obsolete acts
- An act to provide for the preservation of the manuscript laws, and other important state papers, approved March 1, 1869;
- An act to provide for fostering and supporting the Nevada orphan asylum, a duly incorporated benevolent institution located at Virginia City, Storey County, State of Nevada, approved March 2, 1869;
- An act to amend an act entitled "An act to amend an act entitled 'An act to provide revenue for the support of the government of the State of Nevada,' approved March ninth, one thousand eight hundred and sixty-five," approved March 11, 1867, approved March 3, 1869;
- An act to restrict gaming, became a law March 4, 1869;
- An act to abolish the recorder's court and the office of city recorder in the city of Virginia, approved March 5, 1869;
- An act to tax and regulate foreign insurance companies doing business in this state, approved March 5, 1869;
- An act supplementary to and amendatory of an act entitled "An act to redistrict the State of Nevada," approved February 27, 1869, approved March 5, 1869;
- An act to amend an act entitled "An act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865, approved March 5, 1869;
- An act to amend an act entitled "An act to amend section fifty-eight of an act entitled 'An act to provide revenue for the support of the government of the State of Nevada,' approved March ninth, one thousand eight hundred and sixty-five," approved March 12, 1867, approved March 6, 1869;
- An act to amend an act entitled "An act to further amend an act entitled 'An act to provide revenue for the support of the government of the State of Nevada,' " approved March 1, 1866, approved March 6, 1869;
- An act supplementary to an act entitled "An act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865, and the acts amendatory thereof, approved March 6, 1869;
- An act to amend an act entitled "An act concerning compensation of jurors," approved March 5, 1869, approved February 15, 1871;
- An act fixing the time for holding the terms of the district court of the fourth judicial district, approved February 27, 1871;
- An act relative to the salary of the judge of the fourth judicial district, approved February 27, 1871;
- An act to amend an act entitled "An act to provide revenue for the support of the government of the State of Nevada," approved March ninth, one thousand eight hundred and sixty-five, approved March 1, 1871;

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- An act to provide for fostering and supporting the Nevada orphan asylum, a duly incorporated benevolent institution, located at Virginia City, Storey County, State of Nevada, approved March 1, 1871;
- An act to amend an act entitled "An act to restrict gaming," approved March 2, 1871;
- An act to prevent the destruction of fish in the waters of the State of Nevada, approved March 2, 1871;
- An act providing for the better enforcement of the revenue laws of this state, approved March 4, 1871;
- An act to amend an act entitled "An act to provide revenue for the support of the government of the State of Nevada, approved March 9, 1865, approved March 11, 1867," approved March 3, 1869, approved March 4, 1871;
- An act to amend an act entitled "An act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865, approved March 4, 1871;
- An act to amend an act entitled "An act to create the office of state printer, defining the duties and compensation thereof, and provide for the time and manner of election," approved January tenth, eighteen hundred and sixty-five, approved February 11, 1873;
- An act to amend section twenty-nine of an act entitled "An act to provide revenue for the support of the government of the State of Nevada," as amended by section one of an act approved March first, eighteen hundred and seventy-one, approved February 14, 1873;
- An act to amend an act entitled "An act to provide revenue for the support of the government of the State of Nevada, approved March ninth, eighteen hundred and sixty-five, approved March eleventh, eighteen hundred and sixty-seven, approved March third, eighteen hundred and sixty-nine," approved March fourth, eighteen hundred and seventy-one, approved February 20, 1873;
- An act to abolish the use of state revenue stamps, and to provide for the settlement of outstanding stamps, approved February 21, 1873;
- An act to amend an act entitled "An act supplementary to an act entitled 'An act to provide revenue for the support of the government of the State of Nevada,' approved March ninth, eighteen hundred and sixty-five, and the acts amendatory thereof," approved March sixth, eighteen hundred and sixty-nine, approved February 21, 1873;
- An act to compel children to attend school, approved February 25, 1873;
- An act to create and fix the compensation of the office of president of the board of directors of the state library, approved March 1, 1873;
- An act relative to the salary of the judge of the seventh judicial district, approved March 4, 1873;

- An act to redistrict the State of Nevada, approved March 7, 1873; Repealing certain obsolete acts
- An act fixing the number of officers and employees of the senate and assembly, to define their duties, and to establish their pay, approved March 7, 1873;
- An act to provide for the erection of a state prison, approved March 7, 1873;
- An act supplementary to an act entitled "An act to abolish the use of state stamps, and to provide for the settlement of outstanding stamps," approved February twenty-first, eighteen hundred and seventy-three, approved March 7, 1873;
- An act to provide for the allotment of senators of the State of Nevada, approved March 7, 1873;
- An act to amend section twelve of an act entitled "An act to further amend an act entitled 'An act to provide revenue for the support of the government of the State of Nevada,' " approved March first, eighteen hundred and sixty-six, approved March 7, 1873;
- An act to define the duties of the lieutenant-governor, and to fix his compensation therefor, approved March 12, 1873;
- An act to amend an act entitled "An act to amend 'An act to create the office of state printer, define the duties and compensation thereof, and provide for the time and manner of election,' approved January tenth, eighteen hundred and sixty-five," approved January twenty-sixth, eighteen hundred and sixty-six, approved January 25, 1875;
- An act to prevent the practice of medicine and surgery by unqualified persons, approved January 28, 1875;
- An act to amend an act entitled "An act to provide for the formation of corporations for certain purposes," approved March tenth, eighteen hundred and sixty-five, approved February 17, 1875;
- An act to reduce the rate of state taxation, approved February 18, 1875;
- An act to provide for the publication and distribution of Nevada reports, approved February 20, 1875;
- An act to amend an act entitled "An act supplementary to an act entitled 'An act to provide revenue for the support of the government of the State of Nevada,' approved March ninth, eighteen hundred and sixty-five, and the acts amendatory thereof; and providing for levying and collecting revenue for county purposes, and further prescribing the powers and duties of the board of county commissioners of the several counties of this state relative thereto," approved April second, eighteen hundred and sixty-seven, approved February 20, 1875;
- An act to amend an act entitled "An act to redistrict the State of Nevada," approved March seventh, eighteen hundred and seventy-three, approved February 20, 1875;

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- An act supplementary to an act entitled "An act to provide revenue for the support of the government of the State of Nevada," approved March ninth, eighteen hundred and sixty-five, and the acts amendatory thereof, and to define the manner of assessing railroads proper in this state, approved February 27, 1875;
- An act to amend an act entitled "An act to provide revenue for the support of the government of the State of Nevada," approved March ninth, one thousand eight hundred and sixty-five, approved March 1, 1875;
- An act to amend an act entitled "An act to provide revenue for the support of the government of the State of Nevada," approved March ninth, eighteen hundred and sixty-five, approved March 1, 1875;
- An act to repeal an act entitled "An act to amend an act entitled 'An act to redistrict the State of Nevada,' approved February twenty-seventh, eighteen hundred and sixty-nine," approved March seventh, eighteen hundred and seventy-three, approved March 2, 1875;
- An act providing for the monthly payment of the salaries of the justices of the supreme court and state officers, approved March 4, 1875;
- An act to amend "An act to restrict gaming," passed March fourth, eighteen hundred and sixty-nine, and all acts amendatory thereof, approved March 4, 1875;
- An act to amend section six of an act of the legislature of the State of Nevada entitled "An act amendatory of an act entitled 'An act to provide for the maintenance and supervision of public schools, approved March twentieth, eighteen hundred and sixty-five,' and the acts amendatory thereof," approved March sixth, eighteen hundred and sixty-nine, became a law March 5, 1875; see Stats. 1875, pp. 131, 132;
- An act for the reapportionment of senators and assemblymen in the several counties of this state, approved March 5, 1875;
- An act to amend section one of an act entitled "An act providing for the location and taxation of borax and soda mines," approved March seventh, eighteen hundred and seventy-three, approved March 5, 1875;
- An act to amend an act entitled "An act to provide revenue for the support of the government of the State of Nevada," approved March ninth, eighteen hundred and sixty-five, approved March 6, 1875;
- An act to amend an act entitled "An act to prevent the destruction of fish in the waters of the State of Nevada," approved March second, eighteen hundred and seventy-one, approved January 26, 1877;

- An act to amend an act entitled "An act to provide for the maintenance and supervision of public schools," approved March twentieth, eighteen hundred and sixty-five, as amended March eighth, eighteen hundred and sixty-seven, approved February 12, 1877; Repealing
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- An act to amend an act entitled "An act to provide revenue for the support of the government of the State of Nevada, approved March ninth, eighteen hundred and sixty-five, approved March eleventh, eighteen hundred and sixty-seven, approved March third, eighteen hundred and sixty-nine, approved March fourth, eighteen hundred and seventy-one," approved February twentieth, eighteen hundred and seventy-three, approved February 20, 1877;
- An act to amend an act entitled "An act to provide revenue for the support of the government of the State of Nevada, approved March ninth, eighteen hundred and sixty-five," and amended March fourth, eighteen hundred and seventy-one, approved February 20, 1877;
- An act to preserve wild game, and to repeal all other acts in relation thereto, approved February 23, 1877;
- An act to amend an act entitled "An act to regulate the settlement of the estates of deceased persons," approved November twenty-ninth, eighteen hundred and sixty-one, approved February 26, 1877;
- An act to amend an act entitled "An act to amend an act to restrict gaming, passed March fourth, eighteen hundred and sixty-nine," approved March fourth, eighteen hundred and seventy-five, approved February 28, 1877;
- An act to prohibit the sale of ardent spirits to the Indians, approved March 2, 1877;
- An act to provide for the better enforcement of an act to amend an act entitled "An act to prevent the destruction of fish," approved March second, eighteen hundred and seventy-one, approved January twenty-sixth, eighteen hundred and seventy-seven, approved March 2, 1877;
- An act to abolish the office of state printer, and provide for the public printing, approved March 5, 1877;
- An act to redistrict the State of Nevada, approved March 5, 1877;
- An act to amend "An act to regulate the settlement of the estates of deceased persons," approved November twenty-ninth, eighteen hundred and sixty-one, approved March 5, 1877;
- An act to amend an act entitled "An act requiring state officers to prepare and transmit to the legislature duplicates of all reports intended for publication," approved February seventeenth, eighteen hundred and seventy-one, approved March 5, 1877;

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- An act to amend an act entitled "An act to provide revenue for the support of the government of the State of Nevada," approved March ninth, eighteen hundred and sixty-five, and of acts amendatory thereof, approved March 5, 1877;
- Substitute for Senate Bill No. 64 (introduced and recommended by the committee on judiciary, February twentieth, eighteen hundred and seventy-seven)—An act to amend section four of an act entitled "An act to provide revenue for the support of the government of the State of Nevada," approved March ninth, eighteen hundred and sixty-five, approved March 5, 1877;
- An act to amend an act entitled "An act more fully defining the duties and powers of the state board of regents, in connection with the state university," approved March fifth, eighteen hundred and seventy-five, approved March 5, 1877;
- An act to amend an act entitled "An act to amend an act entitled 'An act to provide revenue for the support of the government of the State of Nevada,' approved March ninth, eighteen hundred and sixty-five," approved March sixth, eighteen hundred and seventy-five, approved March 5, 1877;
- An act to provide for the preservation of fish in the waters of this state, approved March 5, 1877;
- An act to amend an act entitled "An act to encourage the growth of forest trees," approved March 5, 1877;
- An act amendatory of an act entitled "An act to provide for the maintenance and supervision of public schools," approved March twentieth, eighteen hundred and sixty-five, and of acts amendatory thereof, approved March 5, 1877;
- An act to amend an act entitled an act to amend an act entitled an act to amend section one of an act to amend an act passed by the legislative assembly of the Territory of Nevada, entitled "An act to provide for the appointment of notaries public, and defining their duties," approved February ninth, one thousand eight hundred and sixty-four, approved March twentieth, one thousand eight hundred and sixty-five, approved February ninth, one thousand eight hundred and sixty-six, approved March thirteenth, one thousand eight hundred and sixty-seven, approved January 27, 1879;
- An act to amend an act entitled "An act to regulate the settlement of the estates of deceased persons," approved November twenty-ninth, eighteen hundred and sixty-one, approved February 8, 1879;
- An act to amend an act entitled "An act to provide revenue for the support of the government of the State of Nevada," approved March ninth, eighteen hundred and sixty-five, approved February 13, 1879;

- An act amendatory of, and supplementary to, an act entitled "An act to provide for the preservation of fish, in the waters of this state," approved March fifth, eighteen hundred and seventy-seven, approved February 19, 1879; Repealing certain obsolete acts
- An act to amend an act entitled "An act to provide for the maintenance and supervision of public schools," as approved March twentieth, eighteen hundred and sixty-five, approved February 26, 1879;
- An act to amend an act entitled "An act to redistrict the State of Nevada," approved March fifth, eighteen hundred and seventy-seven, approved March 4, 1879;
- An act to amend an act entitled "An act to preserve wild game, and to repeal all other acts in relation thereto," approved February twenty-third, eighteen hundred and seventy-seven, approved March 6, 1879;
- An act to amend an act entitled "An act to provide revenue for the support of the government of the State of Nevada," approved March ninth, eighteen hundred and sixty-five, approved March 6, 1879;
- An act repealing all matters relating to copying into an appendix the annual reports of the state officers and other documents, and providing for the deposit of printed copies with the secretary of state, approved March 7, 1879;
- An act to reduce the rate of state taxation, approved March 8, 1879;
- An act to amend section four of an act entitled "An act to provide revenue for the support of the government of the State of Nevada," approved March ninth, eighteen hundred and sixty-five, approved March fifth, eighteen hundred and seventy-seven, approved March 8, 1879;
- An act to restrict gaming, and to repeal all other acts in relation thereto, approved March 8, 1879;
- An act to amend an act to abolish the office of state printer, and provide for the public printing, approved March fifth, eighteen hundred and seventy-seven, approved March 8, 1879;
- An act to repeal section three of an act entitled "An act for the taxation of mines that produce one ton or less a day of ore or mineral-bearing material, and to encourage the prospecting of undeveloped mines," approved March fifth, eighteen hundred and seventy-seven, approved March 8, 1879;
- An act to amend an act entitled "An act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865, approved March 11, 1867, approved March 3, 1869, approved March 4, 1871, approved February 20, 1873, approved February 20, 1877, approved March 10, 1879;
- An act to discontinue litigation touching inequitable claims for taxes and penalties, approved March 17, 1879;

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- An act fixing the number of officers and employees of the senate and assembly, to define their duties and to establish their pay, approved January 27, 1881;
- An act to amend an act entitled "An act fixing the salaries of the various county officers in the several counties in this state, and other matters relating thereto," approved March 11, 1879, approved January 28, 1881;
- An act to amend an act entitled "An act to amend an act entitled 'An act to provide for the formation of corporations for certain purposes,'" approved March 10, 1865, approved February 17, 1875, approved February 11, 1881;
- An act fixing the salaries of the justices of the supreme court of the State of Nevada, approved February 19, 1881;
- An act to amend an act entitled an act to amend an act entitled an act to amend section one of an act passed by the legislative assembly of the Territory of Nevada, entitled "An act to provide for the appointment of notaries public and defining their duties," approved February 9, 1864, approved March 20, 1865, approved February 9, 1866, approved March 13, 1867, approved January 27, 1879, approved February 25, 1881;
- An act to amend an act entitled "An act to further amend an act entitled 'An act to provide revenue for the support of the government of the State of Nevada,'" approved March 9, 1865, approved March 1, 1866, approved February 25, 1881;
- An act to amend section thirty-nine of an act entitled "An act to provide for the maintenance and supervision of public schools," approved March 20, 1865, approved March 6, 1869, approved February 28, 1881;
- An act to amend section 128 of an act entitled "An act to regulate the settlement of the estates of deceased persons," approved November 29, 1861, approved February 28, 1881;
- An act to amend an act entitled "An act fixing the salaries of the various county officers in the several counties of this state and other matters relating thereto," approved March 11, 1879, approved March 2, 1881;
- An act to fix the rate of state taxation, approved March 2, 1881;
- An act fixing the rates for official advertising, approved March 1, 1881;
- An act to amend an act entitled "An act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865, approved March 3, 1881;
- An act to redistrict the State of Nevada, approved March 3, 1881;
- An act for the reapportionment of senators and assemblymen in the several counties of this state, approved March 3, 1881;
- An act to provide for the appointment of inspectors of hides, defining their duties, and mode of compensation, approved March 3, 1881;

- An act to amend sections 2, 4 and 5 of an act entitled "An act to amend an act entitled 'An act to preserve wild game, and to repeal all other acts in relation thereto,' " approved February 23, 1877, approved March 6, 1879, approved March 3, 1881; Repealing certain obsolete acts
- Substitute for Assembly Bill No. 94—An act to amend an act entitled "An act fixing the salaries of the various county officers of this state, and other matters relating thereto," approved March 11, 1879, approved March 4, 1881;
- An act to amend section 5 of an act entitled "An act fixing the salaries of the various county officers in the several counties of this state, and other matters relating thereto," approved March 11, 1879, approved March 4, 1881;
- An act to amend an act entitled "An act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865, approved March 7, 1881;
- An act to amend an act entitled "An act fixing the number of officers and employees of the senate and assembly, to define their duties and to establish their pay," approved January 27, 1881, approved January 8, 1883;
- An act to amend an act entitled "An act to amend an act entitled 'An act to amend an act to amend section 1 of an act passed by the legislative assembly of the Territory of Nevada entitled an act to provide for the appointment of notaries public and defining their duties,' " approved February 9, 1864, approved March 20, 1865, approved February 9, 1866, approved March 13, 1867, approved January 27, 1879, approved February 26, 1881, approved January 30, 1883;
- An act to regulate primary elections and to protect the same from fraud, approved February 5, 1883;
- An act to amend section 7 of an act entitled "An act fixing the salaries of the various county officers in the several counties in this state and other matters relating thereto," approved March 11, 1879, approved February 9, 1883;
- An act to amend an act entitled "An act to define the time for levying and assessing taxes for state and county purposes," approved February 25, 1873, approved February 15, 1883;
- An act to define the duties of lieutenant-governor when acting as an ex officio officer, approved February 17, 1883;
- An act to amend an act fixing the salaries of the various county officers in the several counties of this state and other matters relating thereto, approved March 11, 1879, approved February 17, 1883;
- An act to amend an act entitled "An act to amend an act entitled 'An act to further amend an act entitled an act to provide revenue for the support of the government of the State of Nevada,' " approved March 9, 1865, approved March 1, 1866, approved February 25, 1881, approved February 26, 1883;

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- An act to amend an act entitled "An act to regulate the settlement of the estates of deceased persons," approved November 29, 1861, approved February 26, 1883;
- An act supplemental to an act providing for the taxation of the net proceeds of mines, approved February 28, 1871, became a law February 27, 1883;
- An act supplemental to an act entitled "An act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865, approved March 1, 1883;
- An act to amend an act entitled an act fixing the salaries of the various county officers of this state, and other matters relating thereto, approved March 11, 1879, approved March 5, 1883;
- An act to amend an act entitled "An act to restrict gaming, and to repeal all other acts in relation thereto," approved March 8, 1879, approved January 23, 1885;
- An act to promote the propagation of bob-white quail, approved February 27, 1885;
- An act to amend "An act providing for the publication of bills allowed by the boards of county commissioners in this state," approved March 1, 1883, approved February 27, 1885;
- An act relative to the proving of Indian war claims, approved February 27, 1885;
- An act to amend section 1 of an act entitled "An act providing for the taxation of the net proceeds of mines," approved February 28, 1871, approved March 2, 1885;
- An act to amend an act entitled an act amendatory of an act entitled "An act to provide for the maintenance and supervision of public schools," approved March 6, 1869; approved March 2, 1885;
- An act supplemental to an act entitled "An act to provide for the preservation of fish in the waters of this state," approved March 5, 1877, approved March 5, 1885;
- An act to provide for the compiling of the laws of the State of Nevada, approved March 7, 1885;
- An act to amend an act entitled "An act to provide for the maintenance and supervision of public schools," approved March 20, 1865, approved March 12, 1885;
- An act to amend an act entitled "An act to provide for the maintenance and supervision of public schools," approved March 20, 1865, approved March 12, 1885;
- An act supplemental to an act entitled "An act to provide for the maintenance and supervision of public schools," approved March 20, 1865, approved March 8, 1867, approved March 5, 1869, approved March 7, 1873, approved March 5, 1877, approved February 24, 1879, approved February 28, 1881, approved March 12, 1885;

- An act to amend an act entitled "An act to amend section thirty-nine of an act entitled an act to provide for the maintenance and supervision of public schools," approved March 20, 1865, approved March 6, 1869, approved February 28, 1881, approved March 12, 1885; Repealing certain obsolete acts
- An act to amend an act entitled "An act to provide for the maintenance and supervision of the public schools," approved March 20, 1865, approved March 12, 1885;
- An act to amend an act entitled "An act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865, and supplementary thereto, approved March 12, 1885;
- An act to amend an act entitled "An act to provide for the safe keeping of the securities of the state school fund," approved February 21, 1871, approved January 18, 1887;
- An act to amend section 13 of an act entitled "An act supplemental to an act entitled an act to provide for the maintenance and supervision of public schools," approved March 20, 1865, approved March 8, 1867, approved March 5, 1869, approved March 7, 1873, approved March 5, 1877, approved February 24, 1879, approved February 28, 1881, approved March 12, 1885, approved January 20, 1887;
- An act supplemental to an act entitled "An act to regulate the settlement of the estates of deceased persons," approved November 29, 1861, approved February 1, 1887;
- An act to amend an act entitled "An act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865, approved February 1, 1887;
- An act to amend an act entitled "An act to prohibit the sale of ardent spirits to Indians," approved February 25, 1885, approved February 3, 1887;
- An act relating to the proving of Indian war claims, approved February 8, 1887;
- An act supplementary to an act entitled "An act to preserve wild game, and to repeal all other acts in relation thereto," approved February 23, 1877; and to prevent the killing of beaver and otter in this state for a limited period, approved February 8, 1887;
- An act supplementary to an act entitled an act entitled "An act to provide for the appointment and prescribe the duties of guardians," approved November 29, 1861, approved February 14, 1887;
- An act to restrict the sale of cigarettes, cigars and tobacco, approved February 23, 1887;
- An act to regulate the sale of state law books, approved February 28, 1887;
- An act supplemental to an act entitled "An act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865, approved March 1, 1887;

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- An act to amend an act entitled "An act to amend an act entitled 'An act to define the time for levying and assessing taxes for state and county purposes,'" approved February 25, 1873, approved February 15, 1883, approved March 2, 1887;
- An act to preserve wild game, and to repeal all acts in conflict with the provisions of this act, approved March 3, 1887;
- An act to provide for the payment of a portion of the moneys collected from county licenses for the sale of liquors, into the city treasury of incorporated cities within such county, approved March 3, 1887;
- An act to amend an act entitled "An act fixing the rates for official advertising," approved March 1, 1881, approved March 5, 1887;
- An act for the better preservation of titles to mining claims, approved March 5, 1887;
- An act relative to the proving of Indian war claims, approved February 13, 1889;
- An act to amend an act entitled "An act to provide for the maintenance and supervision of public schools," approved March 21, 1887, approved February 21, 1889;
- An act in relation to county superintendents of schools, approved March 1, 1889;
- An act to amend an act entitled "An act to provide for the appointment of notaries public and defining their duties," approved February 9, 1864, amended March 20, 1865, further amended February 9, 1866, further amended March 13, 1867, further amended January 27, 1879, further amended February 26, 1881, further amended January 30, 1883, approved March 4, 1889;
- An act relative to the preservation and protection of wild game, approved March 9, 1889;
- An act to amend an act entitled an act to amend an act entitled "An act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865, approved March 6, 1879, approved March 9, 1889;
- An act to amend an act entitled "An act to provide for the safe keeping of the securities of the state school fund," approved February 21, 1871, approved February 4, 1891;
- An act to amend an act entitled "An act fixing the time for the opening and closing of saloons and gaming houses," approved March 6, 1889, approved February 27, 1891;
- An act to fix the number of officers and attachés of the legislature of the State of Nevada, and to define their duties and specify their pay, approved March 2, 1891;
- An act for the reapportionment of senators and assemblymen in the several counties of this state, approved March 3, 1891;

- An act to amend an act entitled "An act to provide for the maintenance and supervision of public schools," approved March 20, 1865, as amended by acts approved March 6, 1869, February 28, 1881, and March 2 and March 12, 1885, approved March 14, 1891; Repealing certain obsolete acts
- An act to amend an act entitled "An act fixing the salaries of the justices of the supreme court of the State of Nevada," approved February 19, 1881, approved March 17, 1891;
- An act relative to the proving of Indian war claims, approved March 18, 1891;
- An act to amend an act entitled "An act to provide for the formation of corporations for certain purposes," approved March 10, 1865, approved March 18, 1891;
- An act to increase the number of regents of the state university, approved March 19, 1891;
- An act amendatory of and supplementary to an act entitled "An act to provide for the preservation of fish in the waters of this state," approved March 5, 1877, and to repeal section 9 of said act, approved March 19, 1891;
- An act to amend an act entitled "An act to provide for the maintenance and supervision of public schools," approved March 20, 1865, approved March 20, 1891;
- An act to amend an act to regulate the settlement of the estates of deceased persons, approved November 29, 1861, approved March 21, 1891;
- An act to amend an act entitled an act to amend an act entitled "An act to preserve wild game, and to repeal all other acts in relation thereto," approved February 23, 1877, approved March 6, 1879, approved March 3, 1881, approved March 23, 1891;
- An act to amend an act entitled an act to amend section 128 of an act entitled "An act to regulate the settlement of the estates of deceased persons," approved November 29, 1861, approved February 28, 1881, approved February 8, 1893;
- An act licensing the sale of cigarettes, approved February 21, 1893;
- An act to amend an act entitled "An act to restrict gaming and to repeal all other acts in relation thereto," approved March 8, 1879, approved February 23, 1893;
- An act for the preservation of wild game, and for the preservation of beaver and otter within the State of Nevada, and to repeal all other acts in relation thereto, approved February 27, 1893;
- An act to amend an act entitled "An act to provide for the maintenance and supervision of public schools," approved March 20, 1865, as amended by acts approved March 6, 1869, approved February 28, 1881, approved March 2, 1885, approved March 12, 1885, approved March 14, 1891, approved March 6, 1893;

Repealing
certain
obsolete acts

- An act to reamend section 1 of an act to prohibit the sale of ardent spirits to the Indians, approved February 25, 1885, as amended February 3, 1887, approved March 6, 1893;
- An act to amend an act entitled "An act to provide for the election of school trustees, and matters properly connected therewith," approved March 19, 1891, approved March 6, 1893;
- An act reducing and regulating the salaries and compensation of certain attachés of the government of the State of Nevada, approved March 6, 1893;
- An act to amend sections 2 and 4 of an act entitled an act amendatory of and supplementary to an act entitled "An act to provide for the preservation of fish in the waters of this state," approved March 5, 1877, and to repeal section nine of said act, approved March 19, 1891, approved March 10, 1893;
- An act to amend an act entitled "An act fixing the number of officers and attachés of the legislature of the State of Nevada, and to define their duties and specify their pay," approved March 2, 1891, approved January 31, 1893;
- An act to amend an act entitled "An act to provide for uniform examinations for teachers' certificates and other matters properly connected therewith," approved March 6, 1893, approved February 18, 1895;
- An act to amend an act entitled "An act to provide for the appointment of notaries public and defining their duties," approved February 9, 1864, amended March 20, 1865, further amended February 8, 1866, further amended March 13, 1867, further amended January 27, 1879, further amended February 26, 1881, further amended January 30, 1883, further amended March 4, 1889, approved February 20, 1895;
- An act to amend an act entitled "An act concerning the fees of justices of the peace," approved March 11, 1867, approved February 27, 1895;
- An act to amend section 3 of an act entitled "An act for the preservation of wild game and for the preservation of beaver and otter within the State of Nevada, and to repeal all other acts in relation thereto," approved February 27, 1893, approved March 2, 1895;
- An act to amend an act entitled "An act to provide for the maintenance and supervision of public schools," approved March 20, 1865, approved March 4, 1895;
- An act permitting the establishment of county high schools in the various counties of this state, and providing for the construction, maintenance and management of the same, approved March 4, 1895;
- An act to amend section 196 of an act entitled "An act to regulate the settlement of the estates of deceased persons," approved November 29, 1861, as amended December 19, 1862, approved March 7, 1895;

- An act to amend section 4 of an act entitled "An act for the preservation of wild game, and for the preservation of beaver and otter within the State of Nevada, and to repeal all other acts in relation thereto," approved February 27, 1893, approved March 7, 1895; Repealing certain obsolete acts
- An act to fix the state tax levy and to distribute the same to the proper funds, approved March 11, 1895;
- An act to amend an act entitled "An act to amend an act entitled 'An act to provide for the maintenance and supervision of public schools,' " approved March 20, 1865, as amended by acts approved March 6, 1869, approved February 28, 1881, approved March 2, 1885, approved March 12, 1885, approved March 14, 1891, approved March 6, 1893, approved March 11, 1895;
- An act to amend section two of an act entitled "An act for the preservation of wild game, and for the preservation of beaver and otter within the State of Nevada, and to repeal all other acts in relation thereto," approved February 27, 1893, approved March 13, 1895;
- An act to determine who shall perform the duties of bailiff of the supreme court of the state of Nevada and fixing the compensation for his services, approved March 15, 1895;
- An act to amend section two of an act entitled an act to amend sections two and four of an act entitled "An act amendatory of and supplementary to an act entitled 'An act to provide for the preservation of fish in the waters of this state,' approved March 5, 1877, and to repeal section nine of said act," approved March 19, 1891, approved March 10, 1893, approved March 16, 1895;
- An act to amend an act entitled "An act amendatory of an act entitled 'An act to provide for the maintenance and supervision of public schools,' approved March 20, 1865," and of acts amendatory thereof, approved March 7, 1873, approved March 16, 1895;
- An act to establish a branch fish hatchery at Elko, Nevada, approved March 16, 1895;
- An act to amend an act to provide for the election of school trustees and matters properly connected therewith, approved March 19, 1891, approved February 12, 1897;
- An act to amend section 3 of an act entitled "An act for the preservation of wild game, and for the preservation of beaver and otter within the State of Nevada, and to repeal all other acts in relation thereto," approved February 27, 1893, as amended and approved March 2, 1895, approved February 15, 1897;
- An act to fix the state tax levy and to distribute the same to the proper funds, approved March 5, 1897;
- An act providing for the appointment of notaries public, fixing their terms of office and specifying the numbers to be appointed, approved March 6, 1897;

- Repealing
certain
obsolete acts
- An act to provide for the preservation of fish in the waters of the State of Nevada, approved March 9, 1897;
 - An act to amend an act entitled "An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved March 16, 1895, approved March 16, 1897;
 - An act to abolish the office of fish commissioner and to protect the fish in the waters of the State of Nevada, approved March 22, 1897;
 - An act to fix the state tax levy and to distribute the same to the proper funds, approved February 3, 1899;
 - An act to enable corporations to divide their capital stock into shares of lesser denomination, approved February 21, 1899;
 - An act to create coroner's townships, making justices of the peace ex officio coroners therein, fixing their townships, prescribing their duties and compensation, providing when it shall take effect, and to repeal all acts and parts of acts in conflict with this act, approved February 23, 1899;
 - An act to amend an act entitled "An act permitting the establishment of county high schools in the various counties of this state, and providing for the construction, maintenance and management of the same," approved March 4, 1895, approved February 28, 1899;
 - An act to regulate the allowance and the payment of certain claims against counties, approved March 9, 1899;
 - An act giving authority to the boards of county commissioners of the several counties of this state to extend the closed season for fishing in streams and waters of a certain class, and providing for the enforcement of the same, approved March 9, 1899;
 - An act to amend an act entitled "An act to amend section 3 of an act entitled 'An act for the preservation of wild game, and for the preservation of beaver and otter within the State of Nevada, and to repeal all other acts in relation thereto,' approved February 27, 1893, as amended and approved March 2, 1895," approved February 15, 1897, approved March 10, 1899;
 - An act providing for the creation of a state board of medical examiners, and to regulate the practice of medicine and surgery in the State of Nevada, approved March 15, 1899;
 - An act providing for the appointment of a court stenographer in the second judicial district of this state, approved March 14, 1899;
 - At act authorizing the licensing of itinerant and unsettled merchants and traders, approved March 14, 1899;

- An act to amend an act entitled "An act for the reapportionment of senators and assemblymen in the several counties in this state," approved March 3, 1891, approved March 16, 1899; Repealing certain obsolete acts
- An act to prohibit the selling or disposing of opium or intoxicating liquors to convicts of the Nevada State Prison, approved February 18, 1901;
- An act reapportioning senators and assemblymen of the several counties to the legislature of the State of Nevada, approved February 26, 1901;
- An act to provide for the reclamation and occupancy of lands subject to acceptance by the State of Nevada under the provisions of the acts of congress, approved August 14, 1894, and June 11, 1896, and to repeal all acts in conflict therewith, approved March 6, 1901;
- An act to provide for a uniform series of text-books in the public schools of Nevada, approved March 8, 1901;
- An act to amend an act entitled "An act amendatory of an act entitled 'An act to provide for the formation of corporations for certain purposes,' approved March 10, 1865," amendment approved February 24, 1866, approved March 12, 1901;
- An act to provide for the assessment and taxation of live stock driven into this state for pasturage, grazing, or to market, from other states or territories, and for the collection of the same, approved March 21, 1901;
- An act to fix the state tax levy and to distribute the same to the proper funds, approved March 18, 1901;
- An act to provide for the preservation of fish in the waters of this state, and matters properly relating thereto, approved March 28, 1901;
- An act to provide for the protection and preservation of different species of wild game, and to repeal all acts and parts of acts in conflict therewith, approved March 28, 1901;
- An act reapportioning senators and assemblymen of the several counties to the legislature of the State of Nevada, approved March 4, 1903;
- An act in relation to herding, grazing and driving sheep, approved March 5, 1903;
- An act to amend section 1 of an act entitled "An act to amend an act entitled 'An act to provide for the maintenance and supervision of the public schools,' approved March 20, 1865," approved March 20, 1891, approved March 6, 1903;
- An act to amend sections 18, 28, and sections 1, 5, and 7 of section 32 of an act entitled "An act to provide for the maintenance and supervision of public schools," approved March 10, 1903;
- An act regulating within this state bookmaking on horse races, prize fights, or any games conducted outside of this state, approved March 13, 1903;

Repealing
certain
obsolete acts

- An act to require certain county officers to keep their offices open for the transaction of public business during certain hours of certain days, approved March 13, 1903;
- An act to amend section 1 of an act entitled "An act to amend an act entitled 'An act to restrict gaming and to repeal all other acts in relation thereto,' approved March 8, 1879," approved February 23, 1893, approved March 13, 1903;
- An act to fix the state tax levy, and to distribute the same to the proper funds, approved March 14, 1903;
- An act providing for the appointment of notaries public, fixing their term of office and specifying the number to be appointed, and enlarging the territory within which they may act, approved March 14, 1903;
- An act to provide for the protection and preservation of wild game, and to repeal all other acts in conflict therewith, approved March 16, 1903;
- An act to amend an act entitled "An act to provide for the maintenance and supervision of public schools," approved March 20, 1865, approved March 17, 1903;
- An act to amend an act entitled an act to amend an act entitled "An act to provide for uniform examinations for teachers' certificates and other matters properly connected therewith," approved March 6, 1893, approved February 18, 1895, approved March 7, 1905;
- An act fixing the salary and compensation of the governor's private secretary, approved March 13, 1905;
- An act to amend an act entitled "An act to restrict gaming and to repeal all other acts in relation thereto," approved March 8, 1879, approved February 23, 1893, approved March 13, 1903, approved March 13, 1905;
- An act to amend section 3 of an act entitled "An act providing for the cooperation of the State of Nevada with the secretary of the interior of the United States in the construction and administration of irrigation works for the reclamation of arid lands in the State of Nevada, for the measurement, appropriation and distribution of water, determination of water rights, preserving and certifying records thereof, creating officers for the enforcement hereof, defining the tenure of office, powers and duties and fixing their compensation, providing for penalties for infringements hereof, and enacting a standard measure of water, and conferring upon the secretary of the interior such rights and powers under the laws of Nevada as are necessary to enable him to carry out and execute an act of the congress of the United States, approved June 17, 1902, entitled 'An act appropriating the receipts from the sale and disposal of public lands in certain states and territories to the construction of irrigation works for the reclamation of arid lands,' approved February 16, 1903," approved March 16, 1905;

- An act to amend section 3 of an act entitled "An act to provide for the maintenance and supervision of public schools," approved March 20, 1865, approved March 2, 1905; Repealing certain obsolete acts
- An act to amend an act entitled "An act providing for the appointment of notaries public, fixing their term of office, and specifying the numbers to be appointed, and enlarging the territory within which they may act," approved March 14, 1903, approved March 8, 1905;
- An act to create judicial districts in the State of Nevada, provide for the election of district judges therein and to fix their residences and the salary, and to repeal all other acts in relation thereto, approved March 17, 1905;
- An act to repeal an act entitled "An act to create coroner's townships, making justices of the peace ex officio coroners therein, fixing their townships, prescribing their duties and compensation, providing when it shall take effect, and to repeal all other acts and parts of acts in conflict with this act," in all counties in which two thousand votes or more were polled at the last general election, approved March 15, 1905;
- An act to amend an act entitled "An act to amend an act entitled 'An act permitting the establishment of county high schools in the various counties of the state, and providing for the construction, maintenance and management of the same,' approved March 4, 1895," as amended February 28, 1899, approved March 13, 1905;
- An act reapportioning senators and assemblymen of the several counties to the legislature of the State of Nevada, approved March 23, 1905;
- An act to fix the state tax levy, and to distribute the same in the proper funds, approved March 15, 1905;
- An act to amend an act entitled "An act to fix the number of officers and attachés of the legislature of the State of Nevada, and to define their duties and specify their pay," approved March 2, 1891, approved January 29, 1907;
- An act to amend section 5 of an act entitled "An act to restrict gaming, and to repeal all other acts in relation thereto," approved March 8, 1879, approved March 14, 1907;
- An act to amend an act entitled "An act permitting the establishment of county high schools in the various counties of this state, and providing for the construction, maintenance and management of the same," approved March 4, 1895, approved March 15, 1907;
- An act to amend an act entitled "An act reapportioning senators and assemblymen of the several counties to the legislature of the State of Nevada," and to repeal all other acts in relation thereto, approved March 20, 1907;
- An act to fix the state tax levy, and to distribute the same in the proper funds, approved March 22, 1907;
- An act fixing the salary of the superintendent of state printing, approved March 26, 1907;

Repealing
certain
obsolete acts

An act to amend an act entitled "An act to provide for the maintenance and supervision of public schools," approved March 20, 1865, approved March 29, 1907;

An act making any banker, or any officer, agent, or clerk of any bank, receiving deposits, knowing that said bank is insolvent, guilty of embezzlement, and providing for the punishment thereof, approved March 29, 1907;

An act to amend section 1 of an act entitled "An act to amend an act entitled 'An act permitting the establishment of county high schools in the various counties of this state, and providing for the construction, maintenance and management of the same,' approved March 4, 1895," approved March 15, 1907, approved February 26, 1909;

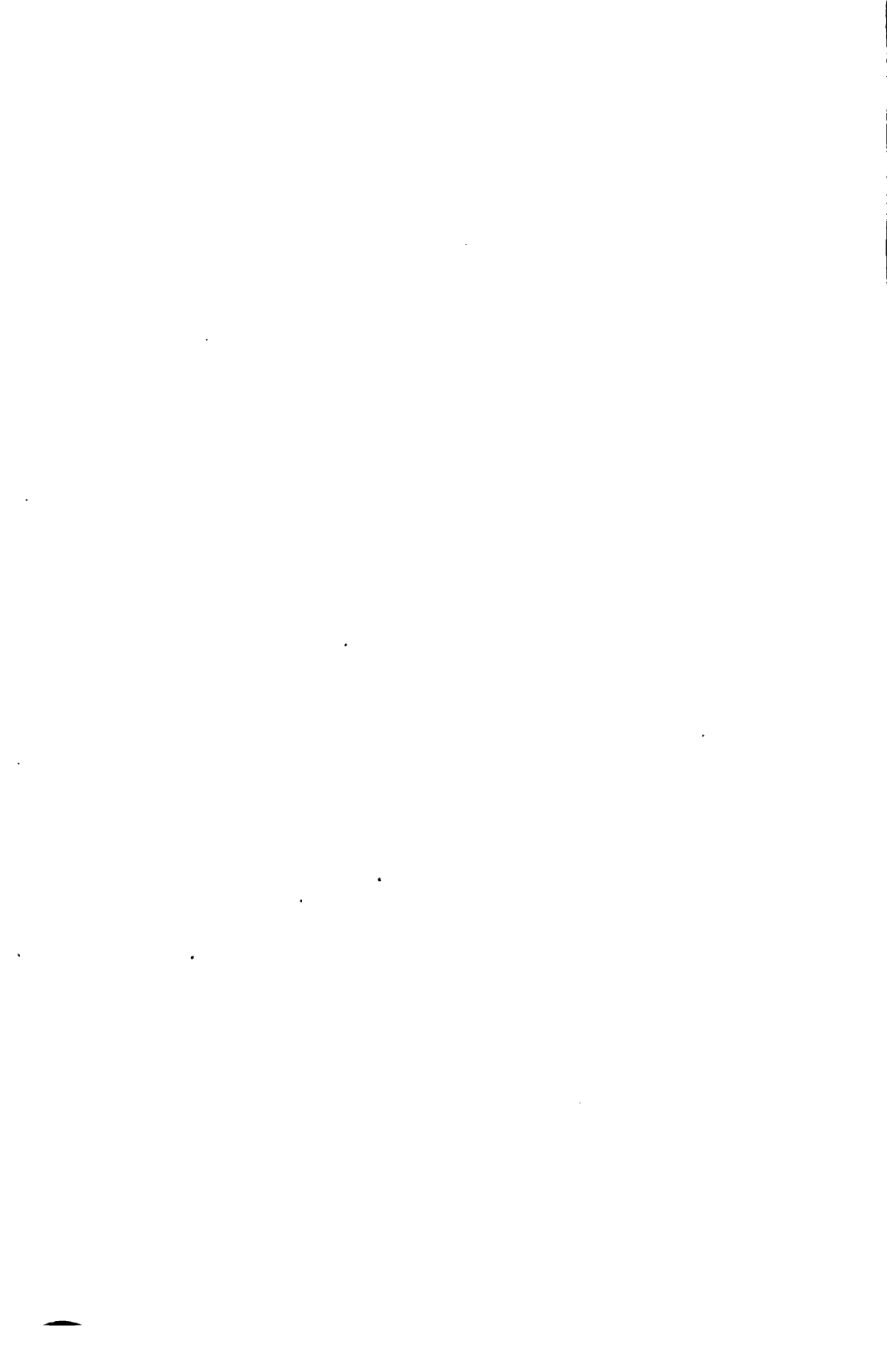
are each and all hereby specifically repealed.

SEC. 2. No implication shall be drawn from such repeal that any of said acts were in force until so repealed.

RESOLUTIONS AND MEMORIALS

PASSED AT THE

Twenty-fifth Session, Nevada Legislature, 1911



RESOLUTIONS AND MEMORIALS

No. 1—*Senate Memorial and Joint Resolution, relative to the proposed Panama Canal exposition.*

[Approved January 25, 1911]

WHEREAS, The State of California is asking the congress of the United States to give its sanction to the holding at the city of San Francisco of an exposition fittingly to celebrate the completion of the Panama Canal, in which the nations of the world are to be invited to participate; and

Urging
congress to
give Panama
exposition to
San
Francisco

WHEREAS, The city of San Francisco is the metropolis, and is situated on the best harbor of the Pacific coast of the United States, and its people, after having met with the greatest catastrophe that has befallen any great city in modern times, have in the short space of four years rebuilt the city on nobler proportions than before, so that today it is, in physical construction, the most modern city in the world; an accomplishment of scarcely less magnitude than that of the building of the Panama Canal itself; and

WHEREAS, The building of the Panama Canal and the rebuilding of the city of San Francisco, being the two greatest constructive achievements of the American people in recent years, it is most fitting that the celebration of the completion of the former be held at the place of the accomplishment of the latter; therefore

Resolved by the Senate, the Assembly concurring, That the people of the State of Nevada, by and through their representatives in the state legislature, do hereby heartily join with the people of the west generally, in memorializing congress to grant the prayer of the people of the State of California; and

Resolved, That certified copies of this resolution be telegraphed to the senate and the house of representatives in congress, and that the governor be requested to transmit by the same means a copy thereof to the president of the United States.

No. 2—*Senate Concurrent Resolution, relating to the Panama-Pacific international exposition.*

[Approved January 27, 1911]

WHEREAS, Our neighboring sister State of California, has commenced preparations for an international exposition in commemoration of the completion of the Panama Canal, to be

held during the year 1915, at the city of San Francisco, United States of America, on San Francisco bay; and

Endorsing
action of
congress in
selecting San
Francisco as
place for 1915
exposition

WHEREAS, San Francisco, because of its geographical, commercial and financial advantages is the logical place for the holding of such an exposition; therefore, be it

Resolved by the Senate, the Assembly concurring, That the State of Nevada, acting through her duly elected and qualified representatives, does favor the official designation of San Francisco, by the United States government as the logical place for the holding of said exposition; and be it further

Resolved, That certified copies of this resolution be sent to the president of the United States senate, the speaker of the house of representatives, our senators and representative in congress.

No. 3—*Senate Substitute for Assembly Joint and Concurrent Resolution, proposing to amend article nineteen of the constitution by adding to said article section three, relating to the initiative and referendum and the powers thereby conferred upon the qualified electors.*

[Approved February 1, 1911]

Amending
constitution
by adding
section 3 to
article 19

Resolved by the Senate, the Assembly concurring, That section three be added to article nineteen of the constitution of the State of Nevada, said section so added to read as follows:

Initiative

Section 3. The people reserve to themselves the power to propose laws and the power to propose amendments to the constitution and to enact or reject the same at the polls, independent of the legislature, and also reserve the power at their option to approve or reject at the polls, in the manner herein provided, any act, item, section or part of any act or measure passed by the legislature, and section one of article four of the constitution shall hereafter be construed accordingly. The first power reserved by the people is the initiative, and not more than ten per cent (10%) of the qualified electors shall be required to propose any measure by initiative petition, and every such petition shall include the full text of the measure so proposed. Initiative petitions, for all but municipal legislation, shall be filed with the secretary of state not less than thirty (30) days before any regular session of the legislature; the secretary of state shall transmit the same to the legislature as soon as it convenes and organizes. Such initiative measure shall take precedence over all measures of the legislature except appropriation bills, and shall be enacted or rejected by the legislature, without change or amendment, within forty (40) days. If any such initiative measure so proposed by petition as aforesaid, shall be enacted by the legislature and approved by the governor in the same manner as other laws are enacted, same shall become a law, but shall be subject to referendum peti-

Percentage
of electors
required

tion as provided in section one and two of this article. If ^{Initiative} said initiative measure be rejected by the legislature, or if no action be taken thereon within said forty (40) days, the secretary of state shall submit same to the qualified electors for approval or rejection at the next ensuing general election; and if a majority of the qualified electors voting thereon shall approve of such measure it shall become a law and take effect from the date of the official declaration of the vote: an initiative measure so approved by the qualified electors shall not be annulled, set aside, or repealed by the legislature within three (3) years from the date said act takes effect. In case the legislature shall reject such initiative measure, said body may, with the approval of the governor, propose a different measure on the same subject, in which event both measures shall be submitted by the secretary of state to the qualified electors for approval or rejection at the next ensuing general election. The enacting clause of all bills proposed by the initiative shall be: "The People of the State of Nevada do enact as follows." The whole ^{Enacting clause} number of votes cast for justice of the supreme court at the general election last preceding the filing of any initiative petition shall be the basis on which the number of qualified electors required to sign such petition shall be counted. The second power reserved by the people is the referendum, ^{Referendum} which shall be exercised in the manner provided in sections one and two of this article. The initiative and referendum powers in this article provided for are further reserved to the qualified electors of each county and municipality as to all local, special and municipal legislation of every character in or for said respective counties or municipalities. The legislature may provide by law for the manner of exercising the initiative and referendum powers as to county and municipal legislation, but shall not require a petition of more than ten per cent (10%) of the qualified electors to ^{Percentage of electors} order the referendum, nor more than fifteen per cent (15%) to propose any municipal measure by initiative. If the conflicting measures submitted to the people at the next ensuing general election shall both be approved by a majority of the votes severally cast for and against each of said measures, the measure receiving the highest number of affirmative votes shall thereupon become a law as to all conflicting provisions. The provisions of this section shall be self-executing, but legislation may be especially enacted to facilitate its operation.

No. 4—Senate Substitute for Assembly Joint and Concurrent Resolution No. 8, proposing that section nine be added to article two of the constitution of the State of Nevada.

[Approved February 2, 1911]

Resolved by the Senate, the Assembly concurring, That section nine be added to article two of the constitution of the State of Nevada, to read as follows:

Section 9. Every public officer in the State of Nevada is subject, as herein provided, to recall from office by the qualified electors of the state, or of the county, district, or municipality, from which he was elected. For this purpose not less than twenty-five per cent (25%) of the qualified electors who vote in the state or in the county, district, or municipality electing said officer, at the preceding election, for justice of the supreme court, shall file their petition, in the manner herein provided, demanding his recall by the people; they shall set forth in said petition, in not exceeding two hundred (200) words, the reasons why said recall is demanded. If he shall offer his resignation, it shall be accepted and take effect on the day it is offered, and the vacancy thereby caused shall be filled in the manner provided by law. If he shall not resign within five (5) days after the petition is filed, a special election shall be ordered to be held within twenty days (20) after the issuance of the call therefor, in the state, or county, district, or municipality electing said officer, to determine whether the people will recall said officer. On the ballot at said election shall be printed verbatim as set forth in the recall petition, the reasons for demanding the recall of said officer, and in not more than two hundred (200) words, the officer's justification of his course in office. He shall continue to perform the duties of his office until the result of said election shall be finally declared. Other candidates for the office may be nominated to be voted for at said special election. The candidate who shall receive the highest number of votes at said special election shall be deemed elected for the remainder of the term, whether it be the person against whom the recall petition was filed, or another. The recall petition shall be filed with the officer with whom the petition for nomination to such office shall be filed, and the same officer shall order the special election when it is required. No such petition shall be circulated or filed against any officer until he has actually held his office six (6) months, save and except that it may be filed against a senator or assemblyman in the legislature at any time after ten (10) days from the beginning of the first session after his election. After one such petition and special election, no further recall petition shall be filed against the same officer during the term for which he was elected, unless such further petitioners shall pay into the public treasury from which the expenses of said special election have been paid, the whole amount paid out of said public treasury as expenses for the preceding special election. Such addi-

Adding new
section to
article 2 of
constitution

Recall of
public officer

Petition

Special
election

Ballot, etc.

In case of
legislative
officer

tional legislation as may aid the operation of this section shall be provided by law.

No. 5—*Senate Joint Resolution No. 3.*

[Approved February 2, 1911]

Resolved, By the republican minority in this joint session of both houses of the twenty-fifth session of the Nevada legislature, in which a democratic majority has voted to make unanimous the election of a republican candidate to the senate of the United States, that our thanks and congratulations be extended with a hearty good-will to the democratic members for the honorable way in which they have accepted the result of the last election and bowed to the will of the people as expressed by the popular vote. Be it further

Congratulating democratic majority on electing republican U. S. senator

Resolved, That we extend our sincere congratulations and good-will to the Hon. Key Pittman of Nye County for the unequivocal manner in which he has carried out his part of the "gentlemen's agreement" made between himself and the Hon. George S. Nixon in the campaign of last fall in withdrawing from the contest after the result of the election was announced and that he has earned the lasting regard of his political opponents by the fair, able and honorable campaign made by him in his fight for the senatorial toga, thereby making a record of which every true Nevadan may well be proud. Be it further

Congratulations to Hon. Key Pittman

Resolved, That the election of a republican, who was chosen by the popular vote, as against a candidate for the same office with a democratic majority in control of the legislature on joint ballot, emphasizes an epoch in American politics of which the senate of the United States may well take heed, until the election of United States senators by a direct vote of the people shall become the law of the land. Be it further

Popular vote for U. S. senator recognized

Resolved, That a copy of these resolutions be forwarded to both houses of congress in Washington.

No. 6—*Senate Joint and Concurrent Resolution No. 4, authorizing the appointment of a joint committee of five to investigate the conduct of the state board of prison commissioners.*

[Approved February 6, 1911]

WHEREAS, Various unofficial charges have been made of irregularity and mismanagement on the part of the board of prison commissioners in connection with the affairs of the Nevada State Prison, with particular reference to the awarding of a certain contract for furnishing steel cells for the new state prison whereby it is alleged the state has suffered large and unnecessary loss and damage; and

Joint committee to investigate action of recent state prison board

WHEREAS, It is deemed for the best interests of the state that the members of the legislature shall have full knowledge of all the facts relative to the affairs and management of the said state prison and with reference to the said contract for steel cells; now, therefore, be it

Composition
of
committee

Resolved by the Senate, the Assembly concurring, That a joint committee of five, composed of two members of the senate and three members of the assembly, to be appointed by the president of the senate and the speaker of the assembly respectively, is hereby authorized, empowered and directed to investigate and examine into, without delay, the conduct of said board of prison commissioners, with particular reference to the facts and circumstances pertaining to the awarding of said contract for said steel cells, and to report the result of such investigation to the legislature not later than March 1, 1911. Said joint committee is hereby authorized to subpoena any person to testify before said committee and to send for any papers and records, to administer oaths, swear and examine witnesses, to take possession of, or order produced before it, any books, papers, documents, contracts, minutes, or memorandum which it may deem necessary for the proper conduct of such investigation. Said joint committee is also authorized to employ a stenographer and to fix his compensation, to be paid out of the legislative fund.

No. 7—*Assembly Joint and Concurrent Resolution, ratifying the sixteenth amendment to the constitution of the United States of America.*

[Approved February 8, 1911]

Ratifying six-
teenth
amendment
to U. S.
constitution

WHEREAS, Both houses of the sixty-first congress of the United States of America at its first session, by a constitutional majority of two-thirds thereof, made the following proposition to amend the constitution of the United States of America in the following words, to wit:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE
CONSTITUTION OF THE UNITED STATES

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled (two-thirds of each house concurring therein), That the following article is proposed as an amendment to the constitution of the United States, which, when ratified by the legislatures of three-fourths of the several states, shall be valid to all intents and purposes as a part of the constitution, namely:

Article XVI. The congress shall have power to lay and collect taxes on incomes, from whatever source derived, with-

Income tax

out apportionment among the several states and without regard to any census or enumeration.

Therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring. That the said proposed amendment to the constitution of the United States of America be, and the same is hereby, ratified by the legislature of the State of Nevada.

Resolution to be forwarded

That certified copies of this preamble and joint and concurrent resolution be forwarded by the governor of this state to the president of the United States, secretary of state of the United States; to the presiding officer of the United States senate, and to the speaker of the United States house of representatives.

No. 8—*Assembly Joint and Concurrent Resolution No. 5.*

[Approved February 8, 1911]

Resolved, That the president of the senate and the speaker of the assembly be, and they are hereby requested and authorized, to each appoint a committee of three from their respective houses to act as a joint committee on investigation and recommendations of state affairs, said committee to have all power and authority necessary to examine any and all records or books of any state official for the purpose of gaining whatever information it may desire or deem necessary, in order that it may intelligently arrive at the actual amount of all receipts and disbursements, this knowledge so gained to be used as a foundation for such recommendations as seem justified.

Joint committee for investigation of state affairs

This resolution is offered in accordance with the widespread and repeated demands of the people throughout the state that all extravagances, negligences and abuses of state funds and institutions be abolished.

No. 9—*Senate Resolution No. 3.*

[Approved February 8, 1911]

WHEREAS, It has pleased the Almighty Father to call from the scene of his labors our beloved friend and fellow-member, Senator A. C. House; and

In respect to memory of Senator House, deceased

WHEREAS, In his departure from our midst we have lost a faithful friend and coworker, one whose every thought, word and act was dictated by the love of truth, honesty and justice, whose every aspiration was for the betterment of humanity, and the good of his fellow-man, and whose uniform gentleness, kindness and courtesy endeared him to all with whom he came in contact; therefore, be it

Resolved, That we, the members of the senate of the twenty-

fifth session, hereby express our heartfelt sorrow at the loss of so dear a friend, and so faithful a fellow-member, and be it

Resolved, That in the demise of Senator A. C. House his constituency loses a loyal and untiring representative, and the State of Nevada a respected and valuable citizen; and be it further

Resolution to
be trans-
mitted

Resolved, That a copy of these resolutions be spread upon the journal of the senate, that a copy be transmitted to the governor of the state and to the assembly now in session, and that a copy be engrossed and presented to the bereaved sisters of our deceased fellow-senator.

No. 10—*Senate Joint and Concurrent Resolution, relative to a proposed act of congress granting to the State of Nevada two million acres of desert land for reclamation and settlement under the Carey act.*

[Approved February 13, 1911]

Requesting
additional
land grant of
2,000,000
acres by
congress

WHEREAS, There is no industrial question of greater importance to the people of the State of Nevada than the reclamation and settlement of her arid lands; and

WHEREAS, The proposed reclamation projects in this state are attracting homeseekers as well as the investment of capital from all parts of the country in the promotion of such reclamation projects; and

WHEREAS, The grant of one million acres of land to this state for such purposes by the act of congress approved August 18, 1894, and known as the "Carey Act," has been exhausted by applications of promoters of such reclamation projects; therefore, be it

Resolved by the Senate, the Assembly concurring, That we urge upon our representatives in congress the importance and necessity of using all honorable means to secure the passage of an act granting to the State of Nevada an additional two million acres of the arid lands of the state for reclamation and settlement under the said act of congress; be it further

Resolved, That we especially urge upon our representatives the importance of immediate action by the present congress before its adjournment on the fourth of March, and, in the event of favorable action, the approval of which may be transmitted to this legislature for acceptance before final adjournment.

Resolved, That copies of this resolution be wired by the secretary of state to Senators Newlands and Nixon and Representative Bartlett.

No. 11—*Senate Concurrent and Joint Resolution No. 1, relative to amending section three of article eleven of the constitution of the State of Nevada.*

[Approved February 14, 1911]

Resolved by the Senate, the Assembly concurring, That section three of article eleven of the constitution of the State of Nevada be amended to read as follows:

Amending
section 3.
article 11. of
constitution

Section 3. All lands, including the sixteenth and thirty-sixth sections in any township donated for the benefit of public schools in the act of the thirty-eighth congress, to enable the people of Nevada Territory to form a state government, the thirty thousand acres of public lands granted by an act of congress, approved July 2, A. D. 1862, for each senator and representative in congress, and all proceeds of land that have been or may hereafter be granted or appropriated by the United States to this state, and also the five hundred thousand acres of land granted to the new states under the act of congress distributing the proceeds of the public lands among the several states of the Union, approved A. D. 1841; *provided*, that congress make provision for or authorize such diversion to be made for the purpose herein contained; all estates that may escheat to the state; all of such per centum as may be granted by congress on the sale of lands; all fines collected under the penal laws of the state; all property given or bequeathed to the state for educational purposes, and all proceeds derived from any or all of said sources, shall be, and the same hereby are, solemnly pledged for educational purposes, and shall not be transferred to any other funds for other uses; and the interest thereon shall, from time to time, be apportioned among the several counties as the legislature may provide by law; and the legislature shall provide for the sale of floating land warrants to cover the aforesaid lands, and for the investment of all proceeds derived from the above-mentioned sources in United States bonds or the bonds of the state, or the bonds of other states of the Union, or the bonds of any county in the State of Nevada; *provided*, that the interest only of the aforesaid proceeds shall be used for educational purposes, and any surplus interest shall be added to the principal sum; *and provided further*, that such portion of said interest as may be necessary may be appropriated for the support of the state university.

All of certain
revenues for
educational
purposes

No. 12—*Senate Concurrent Resolution No. 5, relative to the Truckee river and Lake Tahoe.*

[Adopted February 21, 1911]

WHEREAS, The government of the United States and the Truckee River General Electric Company have practically agreed to enter into a contract having for its object the diversion, control, and management of the surplus waters of Lake Tahoe and the Truckee river; and

Ratifying
agreement
of govern-
ment
concerning
waters of
Lake Tahoe

Concerning
waters of
Lake Tahoe

WHEREAS, This plan has been prepared, approved and accepted by the government engineers who have been in charge of the irrigation work in Nevada, as well as the state engineer, as being fair and beneficial to both the general government and the State of Nevada; now, therefore, be it

Resolved by the Senate, the Assembly concurring, That the said contract meets with the hearty approval of the citizens of Nevada; and we pray that it be consummated at the earliest possible date, notwithstanding the protest of the people of California, whose claim to these waters we do not concede.

Resolved, That a copy of these resolutions be transmitted to the president of the United States by telegraph.

No. 13—*Assembly Joint and Concurrent Resolution, relative to amending section eight of article one of the constitution of the State of Nevada pertaining to indictments in criminal cases.*

[Approved February 20, 1911]

Amending
section 8,
article 1, of
constitution

Resolved by the Assembly, the Senate concurring, That section eight of article one of the constitution of the State of Nevada be amended to read as follows:

Attorney-
general or
district
attorney may
cause arrest
on informa-
tion

Section 8. No person shall be tried for a capital or other infamous crime (except in cases of impeachment, and in cases of the militia when in actual service and the land and naval forces in time of war, or which this state may keep, with the consent of congress, in time of peace, and in cases of petit larceny, under the regulation of the legislature) except on presentment or indictment of the grand jury, or upon information duly filed by a district attorney, or attorney-general of the state, and in any trial, in any court whatever, the party accused shall be allowed to appear and defend in person, and with counsel, as in civil actions. No person shall be subject to be twice put in jeopardy for the same offense; nor shall he be compelled, in any criminal case, to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation having been first made, or secured, except in cases of war, riot, fire, or great public peril, in which case compensation shall be afterward made.

No. 14—*Assembly Concurrent Resolution, relative to amending section three, article fifteen, of the constitution of the State of Nevada.*

[Approved February 21, 1911]

Resolved by the Assembly and the Senate conjointly, That section three, article fifteen, of the constitution of the State of Nevada, be amended so as to read as follows:

Section 3. No person shall be eligible to any office who is

not a qualified elector under this constitution. No person who, while a citizen of this state, has, since the adoption of this constitution, fought a duel with a deadly weapon, sent or accepted a challenge to fight a duel with a deadly weapon, either within or beyond the boundaries of this state, or who has acted as second, or knowingly conveyed a challenge, or aided or assisted in any manner in fighting a duel, shall be allowed to hold any office of honor, profit or trust; or enjoy the right of suffrage under this constitution. The legislature shall provide by law for giving force and effect to the foregoing provisions of this section; *provided*, that females over the age of twenty-one years, who have resided in this state one year, and in the county or district six months next preceding any election to fill either of said offices, or the making of such appointment, shall be eligible to the office of superintendent of public instruction, deputy superintendent of public instruction, school trustee and notary public.

Amending
section 3,
article 15, of
constitution

Females
eligible to
certain
offices

No. 15—*Assembly and Senate Joint and Concurrent Resolution, memorializing congress and Nevada representatives in congress.*

[Approved February 27, 1911]

WHEREAS, There is pending before the senate of the United States a joint resolution providing for an amendment to the constitution of the United States permitting the election of United States senators by the people; and

Election of
U. S. senators
by popular
vote

WHEREAS, The people of Nevada have already indicated a desire to elect United States senators by the people; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That our representatives in congress be requested to use all honorable means to secure the passage of said pending joint resolution and the senate of the United States to pass the same; and be it further

Resolved, That the chief clerk of the assembly be and is hereby directed to transmit by telegraph to each of the said senators and representative from Nevada, and to the president of the United States, this resolution.

No. 16—*Senate Joint Resolution No. 8.*

[Approved March 13, 1911]

WHEREAS, Senator Coryell of Elko County and Assemblyman Fulmer of White Pine County did accompany the remains of the late Senator House from Reno, Nevada, to Cobre, Nevada, on the 28th day of January last; and

Death of
Senator
House

WHEREAS, The said Senator Coryell and Assemblyman Fulmer did accompany the remains of the late Senator House at the special instance and request of the senate and assembly of the twenty-fifth session of the legislature of the State of Nevada; and

Reimbursing
Senator
Coryell and
Assembly-
man Fulmer
for expenses
in connection
with death of
Senator
House

WHEREAS, The said Senator Coryell and Assemblyman Fulmer did pay railroad fare and expenses amounting to forty-two dollars and fifty cents each; therefore, be it

Resolved by the Senate and Assembly, That the said Senator Coryell and Assemblyman Fulmer be allowed the amount herein specified out of legislative fund, and the sergeant-at-arms is hereby directed to draw his warrant in favor of the persons herein named and for the amounts specified, to wit:

Senator H. H. Coryell, \$42.50; Assemblyman J. H. Fulmer, \$42.50.

No. 17—*Senate Joint and Concurrent Resolution, relative to Japanese and Hindu immigration.*

[Approved March 13, 1911]

Opposing
Japanese
and Hindu
immigration

WHEREAS, Immense hordes of Japanese and Hindus are invading our country to the detriment of our people and the very existence of our nation by reason of their un-American principles and antagonism toward our form of government, inspired and actuated only by an avaricious motive of displacing American labor by reason of working for a scale of wages utterly impossible for any white laborer to exist upon in manner commensurate with civilized conditions, thereby competing against white labor and engendering in countless instances misery and suffering upon the dependents of American workmen; and

WHEREAS, A continuation of the aforesaid immigration unimpeded by more stringent immigration laws will create untold and indescribable complications and trouble upon this generation, and generations yet unborn, within the boundaries of this great republic; therefore, be it

Resolved, That we most emphatically condemn such laws as allow the aforesaid immigration, and we recommend that such laws be passed as will effectually stop the indiscriminate immigration of such nationalities hereinbefore mentioned; and be it further

Resolved, That copies of this resolution be at once forwarded to the speaker of the house of representatives and to the president of the senate, and to our United States senators and congressman.

No. 18—*Senate Joint and Concurrent Resolution, making Theodore Roosevelt, ex-president of the United States, the guest of the State of Nevada.*

[Approved March 14, 1911]

WHEREAS, Theodore Roosevelt, ex-president of the United States, will deliver an address in the city of Reno on the evening of April 3, 1911; now, therefore,

Resolved by the Senate, the Assembly concurring, That the State

of Nevada hereby extends greeting and welcome to Theodore Roosevelt, ex-president of the United States, and further makes him, the said Theodore Roosevelt, the guest of the State of Nevada while within its boundaries.

Extending to Theodore Roosevelt freedom of State of Nevada

Resolved, That the governor be requested to inform ex-President Roosevelt at such time, place and manner as to him seems appropriate, of the greeting, welcome and hospitality of the State of Nevada hereby extended.

No. 19—*Assembly Joint and Concurrent Resolution, providing for the appointment of a joint committee from the senate and assembly to prepare and present to the legislature of the State of Nevada a measure providing for the furnishing of free text-books in the public schools.*

[Adopted March 9, 1911]

Resolved, That a nonpartisan committee of six, composed of three members of the assembly and three members of the senate, to be forthwith appointed respectively by the speaker of the assembly and the president of the senate, is hereby authorized and directed to prepare and present a measure providing for the furnishing of free text-books in the public schools, said committee to consist of three democrats and three republicans.

Committee to prepare law for free text-books

No. 20—*Substitute for Assembly Joint and Concurrent Resolution No. 6, relative to amending section one of article two of the constitution of the State of Nevada, pertaining to the right of elective franchise.*

[Approved March 18, 1911]

Resolved by the Assembly, the Senate concurring, That section one of article two of the constitution of the State of Nevada be amended to read as follows:

Amending section 1, article 2, of constitution

Section 1. All citizens of the United States not laboring under the disabilities named in this constitution, of the age of twenty-one years and upwards, who shall have actually, and not constructively, resided in this state six months, and in the district or county thirty days next preceding any election, shall be entitled to vote for all officers that now or hereafter may be elected by the people, and upon all questions submitted to the electors at such election; *provided*, that no person who has been or may be convicted of treason or felony in any state or territory of the United States, unless restored to civil rights, and no idiot or insane person shall be entitled to the privilege of an elector. There shall be no denial of the elective franchise at any election on account of sex.

Female suffrage

No. 21—*Assembly Joint and Concurrent Resolution No. 22.*

[Approved March 18, 1911]

Thanking
U. S. bureau
of mines for
humane
efforts and
for exhibi-
tion of mine-
rescue
apparatus

Resolved by the Assembly, the Senate concurring, That a vote of thanks be, and the same is, hereby extended to Dr. J. A. Holmes, director of the bureau of mines of the United States, as an evidence of the appreciation of the people of the State of Nevada of his interest and prompt action in sending a mine-rescue car to Tonopah mining district in the effort to assist in saving the lives of miners entombed in the Belmont mine; and the subsequent retention of the car within the state for a number of weeks for the purpose of enabling his able and efficient corps of assistants to perform most excellent and valuable service in instructing and demonstrating to the miners of the various mining districts the use of mine-rescue apparatus.

No. 22—*Assembly Joint and Concurrent Resolution, relative to amending section two of article fifteen of the constitution of the State of Nevada, pertaining to the official oath.*

[Approved March 18, 1911]

Amending
section 2,
article 15, of
constitution

Resolved by the Assembly, the Senate concurring, That section two of article fifteen of the constitution of the State of Nevada be amended so as to read as follows:

Section 2. Members of the legislature, and all officers, executive, judicial and ministerial, shall, before they enter upon the duties of their respective offices, take and subscribe to the following oath:

Changing
form of
official oath

I, _____, do solemnly swear (or affirm) that I will support, protect and defend the constitution and government of the United States, and the constitution and government of the State of Nevada, against all enemies, whether domestic or foreign, and that I will bear true faith, allegiance and loyalty to the same, any ordinance, resolution or law of any state notwithstanding, and that I will well and faithfully perform all the duties of the office of _____, on which I am about to enter; (if an oath) so help me God; (if an affirmation) under the pains and penalties of perjury.

No. 23—*Senate Joint and Concurrent Resolution, relative to universal recognition of American passports.*

[Approved March 18, 1911]

WHEREAS, There is now pending in the congress of the United States a resolution looking to the universal recognition of American passports; and

WHEREAS, There should be no discrimination on the part of any foreign power against an American citizen carrying an American passport; therefore, be it

Concerning
American
passports

Resolved, That we most heartily recommend the enactment of such law or laws, by the congress of the United States as will insure the universal recognition of American passports so that no discrimination shall be made by any foreign power against an American citizen carrying an American passport, no matter what his race or creed may be.

Resolved, That copies of this resolution be at once forwarded to the president of the United States, the speaker of the house of representatives, the president of the senate, and to our United States senators and congressman.

No. 24—*Senate Concurrent Resolution.*

[Adopted March 20, 1911]

WHEREAS, The charges for the transportation of parcels by Wells, Fargo & Company, a public service corporation, controlling and operating the only express lines reaching the most of the important commercial points in the state, have been in the past, and still are, grossly excessive, resulting in the collection from the people, by reason of their necessities, of vast sums of money over and above fair charges, and in many instances are so high as to be prohibitive and a denial of just service; and

Railroad
commission
requested to
take action
to reduce
exorbitant
express rates

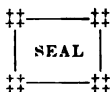
WHEREAS, Through the collection of these excessive charges unreasonably large dividends have been paid on the small capital invested in the express business, and in addition thereto \$24,000,000 have been divided among the stockholders of the company; therefore, be it

Resolved by the Senate, the Assembly concurring, That the state railroad commission, with the assistance of the attorney-general, be directed to take such action before any and every federal or other commission, board or court, as will secure the regulation of charges and the enforcement of just and reasonable rates on all express matter to and from all places at which any express service is rendered in this state.

CERTIFICATE

STATE OF NEVADA, }
DEPARTMENT OF STATE. } ss.

I, George Brodigan, the duly elected, qualified and acting Secretary of State of the State of Nevada, do hereby certify that the foregoing laws and resolutions, published in this volume, beginning on page 3 and ending on page 459, are true, full and correct copies of the original enrolled acts and resolutions passed during the Twenty-fifth Session of the Nevada State Legislature (1911), as the same appear on file and of record in this office.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of State, at my office in Carson City, Nevada, this 17th day of April, 1911.

GEORGE BRODIGAN,
Secretary of State.

CONSTITUTION

OF THE

UNITED STATES OF AMERICA



Constitution of the United States of America

We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this constitution for the United States of America:

ARTICLE I

SECTION 1. All legislative powers herein granted shall be vested in a congress of the United States, which shall consist of a senate and house of representatives. Power vested in congress

SEC. 2—1. The house of representatives shall be composed of members chosen every second year by the people of the several states, and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature. Representatives, how chosen

2. No person shall be a representative who shall not have attained the age of twenty-five years and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen. Who eligible

3. Representatives and direct taxes shall be apportioned among the several states which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of ten years, and, excluding Indians not taxed, three-fifths of all other persons.

The actual enumeration shall be made within three years after the first meeting of the congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one for every thirty thousand, but each state shall have at least one representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three; Massachusetts, eight; Rhode Island and Providence Plantations, one; Connecticut, five; New York, six; New Jersey, four; Pennsylvania, eight; Delaware, one; Maryland, six; Virginia, ten; North Carolina, five; South Carolina, five, and Georgia, three. Original apportionment of representatives

4. When vacancies happen in the representation from any

Vacancies, how filled	state, the executive authority thereof shall issue writs of election to fill such vacancies.
Powers house repre- sentatives	5. The house of representatives shall choose their speaker and other officers, and shall have the sole power of impeachment.
Relating to U. S. senators	SEC. 3.—1. The senate of the United States shall be composed of two senators from each state, chosen by the legislature thereof for six years, and each senator shall have one vote.
U. S. senators classified	2. Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year; of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year, and if vacancies happen, by resignation or otherwise, during the recess of the legislature of any state, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.
Vacancies may be filled by executive	3. No person shall be a senator who shall not have attained the age of thirty years and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state for which he shall be chosen.
Age of eligibility	4. The vice-president of the United States shall be president of the senate, but shall have no vote unless they be equally divided.
Who president of senate	5. The senate shall choose their other officers, and also a president <i>pro tempore</i> , in the absence of the vice-president, or when he shall exercise the office of president of the United States.
Other offices provided	6. The senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the president of the United States is tried, the chief justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present.
Power of impeach- ment	7. Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment, and punishment, according to law.
Judgment on impeach- ment	SEC. 4.—1. The times, places, and manner of holding elections for senators and representatives shall be prescribed in the state by the legislature thereof; but the congress may at any time, by law, make or alter such regulations, except as to the place of choosing senators.
Time and place of electing senators and repre- sentatives	2. The congress shall assemble at least once in every year; and such meeting shall be on the first Monday in December, unless they shall, by law, appoint a different day.
Congress to assemble, when	

SEC. 5.—1. Each house shall be judge of the elections, returns, and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties, as each house may provide.

Qualifications of, how judged

2. Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

3. Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either house on any question shall, at the desire of one-fifth of those present, be entered on the journal.

Proceedings of published, when

4. Neither house, during the session of congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

May adjourn, when

SEC. 6.—1. The senators and representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to or returning from the same; and for any speech or debate in either house they shall not be questioned in any other place.

Compensation of

Privileged from arrest, when

2. No senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States shall be a member of either house during his continuance in office.

Ineligible to other office, when

SEC. 7.—1. All bills for raising revenue shall originate in the house of representatives; but the senate may propose or concur with amendments, as on other bills.

Bills for revenue to originate, where

2. Every bill which shall have passed the house of representatives and the senate shall, before it becomes a law be presented to the president of the United States. If he approve, he shall sign it; but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered; and if approved by two-thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and

How bills may become laws

against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the president within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the congress by their adjournment prevent its return, in which case it shall not be a law.

Executive
action
required,
when

3. Every order, resolution, or vote to which the concurrence of the senate and house of representatives may be necessary (except on a question of adjournment) shall be presented to the president of the United States; and before the same shall take effect shall be approved by him, or, being disapproved by him, shall be repassed by two-thirds of the senate and house of representatives, according to the rules and limitations prescribed in the case of a bill.

SEC. 8. The congress shall have power—

Powers of
congress in
detail

1. To lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

2. To borrow money on the credit of the United States.

3. To regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

4. To establish an uniform rule of naturalization and uniform laws on the subject of bankruptcies throughout the United States.

5. To coin money, regulate the value thereof and of foreign coin, and fix the standard of weights and measures.

6. To provide for the punishment of counterfeiting the securities and current coin of the United States.

7. To establish postoffices and post-roads.

8. To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries.

9. To constitute tribunals inferior to the supreme court.

10. To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations.

11. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.

12. To raise and support armies; but no appropriation of money to that use shall be for a longer term than two years.

13. To provide and maintain a navy.

14. To make rules for the government and regulation of the land and naval forces.

15. To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions.

16. To provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively the appointment of the officers, and the

authority of training the militia according to the discipline prescribed by congress. Powers of congress in detail

17. To exercise exclusive legislation, in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards and other needful buildings; and

18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers and all other powers vested by this constitution in the government of the United States, or in any department or officer thereof.

SEC. 9.—1. The migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person. Inhibitions in detail

2. The privilege of the writ of *habeas corpus* shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

3. No bill of attainder or *ex post facto* law shall be passed.

4. No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

5. No tax or duty shall be laid on articles exported from any state.

6. No preference shall be given by any regulation of commerce or revenue to the ports of one state over those of another; nor shall vessels bound to or from one state be obliged to enter, clear, or pay duties in another.

7. No money shall be drawn from the treasury but in consequence of appropriations made by law, and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

8. No title of nobility shall be granted by the United States and no person holding any office of profit or trust under them shall, without the consent of the congress, accept of any present, emolument, office, or title of any kind whatever, from any king, prince, or foreign state.

SEC. 10.—1. No state shall enter into any treaty, alliance, or confederation; grant letters of marque or reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts, or grant any title of nobility.

2. No state shall, without the consent of the congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and

Inhibitions the net produce of all duties and imposts, laid by any state on imports or exports, shall be for the use of the treasury of the United States; and all of such laws shall be subject to the revision and control of the congress.

3. No state shall, without the consent of congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another state, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II

Executive power vested SECTION 1.—1. The executive power shall be vested in a president of the United States of America. He shall hold his office during the term of four years, and, together with the vice-president, chosen for the same term, be elected as follows:

Electors, number of and how appointed 2. Each state shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives to which the state may be entitled in the congress; but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

[3. ¹The electors shall meet in their respective states, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same state with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of government of the United States, directed to the president of the senate. The president of the senate shall, in the presence of the senate and house of representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the president, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the house of representatives shall immediately choose by ballot one of them for president; and if no person have a majority, then from the five highest on the list the said house shall in like manner choose the president. But in choosing the president the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of the states shall be necessary to a choice. In every case, after the choice of the president, the person having the greatest number of votes of the electors shall be the vice-president. But if there should remain two or more who have equal votes, the senate shall choose from them by ballot the vice-president.]

Who eligible to the presidency 4. The congress may determine the time of choosing the electors,² and the day on which they shall give their votes; which day shall be the same throughout the United States.

5. No person except a natural-born citizen, or a citizen of the United States at the time of the adoption of this constitution, shall be eligible to the office of president; neither shall any person be eligible to that office who shall not have attained the age of thirty-five years, and been fourteen years a resident within the United States.

¹The portion in brackets has been superseded by the 12th amendment.

²The time for choosing the electors is the first Tuesday after the first Monday in November.

6. In case of the removal of the president from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the vice-president; and the congress may by law provide for the case of removal, death, resignation, or inability, both of the president and vice-president, declaring what officer shall then act as president, and such officer shall act accordingly, until the disability be removed, or a president shall be elected.

Succession
to
presidency

7. The president shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected; and he shall not receive within that period any other emolument from the United States, or any of them.

Compensation
of
president

8. Before he enters on the execution of his office, he shall take the following oath or affirmation:

"I do solemnly swear (or affirm) that I will faithfully execute the office of president of the United States, and will, to the best of my ability, preserve, protect, and defend the constitution of the United States."

Presidential
oath

SEC. 2.—1. The president shall be commander-in-chief of the army and navy of the United States, and of the militia of the several states, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.

President as
commander-
in-chief

2. He shall have power, by and with the advice and consent of the senate, to make treaties, provided two-thirds of the senators present concur; and he shall nominate and, by and with the advice and consent of the senate, shall appoint ambassadors, other public ministers and consuls, judges of supreme court and all other officers of the United States whose appointments are not herein otherwise provided for, and which shall be established by law; but the congress may by law vest the appointment of such inferior officers as they think proper in the president alone, in the courts of law, or in the heads of departments.

Presidential
patronage

3. The president shall have power to fill up all vacancies that may happen during the recess of the senate, by granting commissions which shall expire at the end of their next session.

To report to
congress,
when

SEC. 3. He shall from time to time give to the congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors, and other public ministers; he

shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

How
removed
from office

SEC. 4. The president, vice-president, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

ARTICLE III

Judicial
power vested

SECTION 1. The judicial power of the United States shall be vested in one supreme court, and in such inferior courts as the congress may, from time to time, ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

Judicial
power
limited

SEC. 2.—1. The judicial power shall extend to all cases, in law and equity, arising under this constitution, the laws of the United States, and treaties made, or which shall be made under their authority; to all cases affecting ambassadors, other public ministers, and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more states; between a state and citizens of another state; between citizens of different states; between citizens of the same state, claiming lands under grants of different states; and between a state, or the citizens thereof, and foreign states, citizens or subjects.

Original
jurisdiction,
when

2. In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be a party, the supreme court shall have original jurisdiction. In all the other cases before mentioned, the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the congress shall make.

Trial by jury
granted

3. The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed, but when not committed within any state, the trial shall be at such place or places as the congress may by law have directed.

Treason
defined

SEC. 3.—1. Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

Treason
punished

2. The congress shall have power to declare the punishment of treason; but no attainder of treason shall work corruption of blood, or forfeiture except during the life of the person attainted.

ARTICLE IV

SECTION 1. Full faith and credit shall be given in each state to the public acts, records and judicial proceedings of every other state. And the congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved and the effect thereof.

Faith and
credit given
acts of state

SEC. 2.—1. The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

2. A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall, on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.

3. No person held to service or labor in one state, under the laws thereof, escaping into another, shall in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

SEC. 3.—1. New states may be admitted by the congress into this Union, but no new state shall be formed or erected within the jurisdiction of any other state, nor any state be formed by the junction of two or more states, or parts of states, without the consent of the legislatures of the states concerned, as well as of the congress.

New states
may be
admitted,
when

2. The congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States, and nothing in this constitution shall be so construed as to prejudice any claims of the United States or of any particular state.

Powers of
congress

SEC. 4. The United States shall guarantee to every state in this Union a republican form of government, and shall protect each of them against invasion, and, on application of the legislature, or of the executive (when the legislature cannot be convened), against domestic violence.

Republican
form of
government
guaranteed

ARTICLE V

The congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to the constitution, or, on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes as part of this constitution, when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the congress; *provided*, that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article, and that no state, without its consent, shall be deprived of its equal suffrage in the senate.

Constitution
may be
amended,
how

ARTICLE VI

1. All debts contracted and engagements entered into before the adoption of this constitution shall be as valid against the United States under this constitution as under the confederation.

2. This constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land, and the judges in every state shall be bound thereby, anything in the constitution or laws of any state to the contrary notwithstanding.

3. The senators and representatives before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation to support this constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII

The ratification of the conventions of nine states shall be sufficient for the establishment of this constitution between the states so ratifying the same.

Done in convention by the unanimous consent of the states present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the Independence of the United States of America the twelfth. In witness whereof we have hereunto subscribed our names.

GEORGE WASHINGTON,

President, and Deputy from Virginia.

New Hampshire—

John Langdon,
Nicholas Gilman.

Delaware—

George Read,
Gunning Bedford, Jr.,
John Dickinson,
Richard Bassett,
Jacob Broom.

Massachusetts—

Nathaniel Gorham,
Rufus King.

Maryland—

James McHenry,
Dan. of St. Theo. Jenifer,
Daniel Carroll.

Connecticut—

William Samuel Johnson,
Roger Sherman.

New York—

Alexander Hamilton.

Virginia—

John Blair,
James Madison, Jr.

New Jersey—

William Livingston,
David Brearley,
William Patterson,
Jonathan Dayton.

North Carolina—

William Blount,
Richard Dobbs Spaight,
Hugh Williamson.

Pennsylvania—

Benjamin Franklin,
 Thomas Mifflin,
 Robert Morris,
 George Clymer,
 Thomas Fitzsimmons,
 Jared Ingersoll,
 James Wilson,
 Gouverneur Morris.

Attest :

South Carolina—

John Rutledge,
 Charles C. Pinckney,
 Charles Pinckney,
 Pierce Butler.

Georgia—

William Few,
 Abraham Baldwin.

WILLIAM JACKSON,
Secretary.

The following-named delegates from other states were present, but did not sign the constitution :

Massachusetts—

Eldridge Gerry,
 Caleb Strong.

New Jersey—

Wm. C. Houston.

Virginia—

Edmund Randolph,
 George Mason,
 George Wythe,
 James McClurg.

Connecticut—

Oliver Ellsworth.

North Carolina—

Alexander Martin,
 Wm. R. Davie.

New York—

John Lansing, Jr.,
 Robert Yates.

Maryland—

John Francis Mercer,
 Luther Martin.

Georgia—

Wm. Pierce,
 Wm. Houston.

Of the 63 delegates originally appointed 10 did not attend, 2 of which vacancies were filled. Of those attending, 39 signed and 16 did not.

The constitution was adopted by the convention on the 17th of September, 1787, appointed in pursuance of the resolution of the congress of the confederation of the 21st of February, 1787, and ratified by the conventions of the several states, as follows:

Delaware, December 7, 1787, unanimously.

Pennsylvania, December 12, 1787, by a vote of 46 to 23.

New Jersey, December 18, 1787, unanimously.

Georgia, January 2, 1788, unanimously.

Connecticut, January 9, 1788, by a vote of 128 to 40.

Massachusetts, February 6, 1788, by a vote of 187 to 168.

Maryland, April 28, 1788, by a vote of 63 to 12.

South Carolina, May 23, 1788, by a vote of 149 to 73.

New Hampshire, June 21, 1788, by a vote of 57 to 47.

Virginia, June 25, 1788, by a vote of 89 to 79.

New York, July 26, 1788, by a vote of 30 to 25.

North Carolina, November 21, 1789, by a vote of 193 to 75.

Rhode Island, May 29, 1790, by a majority of 2.

Vermont, January 10, 1791, by a vote of 105 to 4.

Declared ratified by resolution of the old congress, September 13, 1788.

[The adoption of the constitution was opposed by many who believed that the extensive powers granted by it to congress and the executive would be dangerous to the liberties of the people. It was, however, finally adopted chiefly through the exertions and writings of James Madison, John Jay, and Alexander Hamilton. Virginia ratified the constitution with the declaration that she was at liberty to withdraw from the Union whenever its powers were used for oppression; and New York, after Hamilton had declared that no state should ever be coerced by an armed force. There were two great parties: The Federalists, in favor of a strong, centralized government, and the Anti-Federalists, supporters of state's rights. Washington and Adams, Federalist leaders, were elected, and the government was organized with Thomas Jefferson, secretary of state; Alexander Hamilton, secretary of the treasury; Henry Knox, secretary of war; and John Jay, chief justice of the supreme court.]

AMENDMENTS TO THE CONSTITUTION

ARTICLE I¹

Sectarianism
prohibited

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

ARTICLE II

Right to bear
arms

A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

ARTICLE III

No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war but in a manner to be prescribed by law.

ARTICLE IV

Soldiery not
to be
quartered on

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue but

¹Twelve amendments were proposed by congress, September 25, 1789. The last ten were adopted, which are the first ten as shown above, and were proclaimed to be in force December 15, 1791.

The rejected articles were as follows:

I. After the first enumeration required by the first article of the constitution there shall be one representative for every 30,000 persons, until the number shall amount to one hundred; after which the proportion shall be so regulated by congress that there shall not be less than one hundred representatives, nor more than one representative for every 40,000 persons, until the number of representatives shall amount to two hundred;

upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE V

No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

Rights of
persons
charged with
crime
secured

ARTICLE VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

Rights of
accused
persons

ARTICLE VII

In suits of common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by a jury shall be otherwise reexamined in any court of the United States than according to the rules of the common law.

The common
law adopted

ARTICLE VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Excessive
bail and
punishment
inhibited

after which the proportion shall be so regulated by congress that there shall not be less than two hundred representatives, nor more than one representative for every 50,000 persons.

II. No law varying the compensation for the services of the senators and representatives shall take effect until an election of representatives shall have intervened.

The twelve proposed amendments were acted upon by the states as follows:

All ratified by Kentucky, Maryland, New Jersey, North Carolina, South Carolina, Vermont, and Virginia—7.

All, excepting Article I, ratified by Delaware—1.

All, excepting Article II, ratified by Pennsylvania—1.

All, excepting Articles I and II, ratified by New Hampshire, New York, and Rhode Island—3.

All rejected by Connecticut, Georgia, and Massachusetts—3.

ARTICLE IX

Certain rights construed The enumeration in the constitution of certain rights shall not be construed to deny or disparage others retained by the people.

ARTICLE X

States rights defined The powers not delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

ARTICLE XI¹

Judicial powers of the United States limited The judicial power of the United States shall not be construed to extend to any suit in law or equity commenced or prosecuted against one of the United States by citizens of another state, or by citizens or subjects of any foreign state.

ARTICLE XII²

President of the United States, how elected The electors shall meet in their respective states and vote by ballot for president and vice-president, one of whom, at least, shall not be an inhabitant of the same state with themselves. They shall name in their ballots the person voted for as president and in distinct ballots the person voted for as vice-president; and they shall make distinct lists of all persons voted for as president, and of all persons voted for as vice-president, and of the number of votes for each, which lists they shall sign and certify and transmit, sealed, to the seat of government of the United States, directed to the president of the senate. The president of the senate shall, in the presence of the senate and house of representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes for president shall be president, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers, not exceeding three, on the list of those voted for as president, the house of representatives shall choose immediately, by ballot, the president. But in choosing the president, the votes shall be taken by states, the representation from each state having one vote. A quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the house of representatives shall not choose a president, whenever the right of choice shall devolve on them, before the fourth day of March next following, then the vice-president shall act as president, as in the case of the death or other constitutional disability of the president. The person having the greatest number of votes as vice-president shall

¹Article XI was proposed by congress March 12, 1794, and declared in force January 8, 1798.

²Article XII was proposed in the first session of the eighth congress, and declared in force September 25, 1804.

be the vice-president, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers on the list the senate shall choose the vice-president; a quorum for the purpose shall consist of two-thirds of the whole number of senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of president shall be eligible to that of vice-president of the United States.

President,
how elected

ARTICLE XIII¹

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Slavery,
abolished

SEC. 2. Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XIV²

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States, and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

Citizenship
defined and
rights
secured

SEC. 2. Representatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for president and vice-president of the United States, representatives in congress, the executive and judicial officers of a state, or the members of

Representa-
tion
regulated

¹Article XIII was proposed by congress February 1, 1865, and declared in force December 18, 1865.

Ratified by Alabama, Arkansas, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Maryland, Michigan, Massachusetts, Minnesota, Mississippi, Missouri, Nevada, New Jersey, New Hampshire, New York, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin—33. Ratified conditionally by Alabama and Mississippi—2. Rejected by Delaware and Kentucky—2.

²Article XIV was proposed by congress June 13, 1866, and declared in force July 28, 1869.

Ratified by Alabama, Arkansas, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Jersey, New Hampshire, New York, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin—33.

Of the above, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Texas, and Virginia first rejected the amendment, but finally ratified it. New Jersey and Ohio rescinded their ratification.

Rejected by Delaware, Kentucky, and Maryland—3.

No final action was taken by California—1.

the legislature thereof, is denied to any of the male inhabitants of such state being twenty-one years of age and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such state.

Certain
persons
ineligible to
office

SEC. 3. No person shall be a senator or representative in congress, or elector of president and vice-president, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath as a member of congress, or as an officer of the United States, or as a member of any state legislature, or as an executive or judicial officer of any state, to support the constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But congress may, by a vote of two-thirds of each house, remove such disability.

Rebellion
debt
declared
valid

SEC. 4. The validity of the public debt of the United States authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any state shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations, and claims shall be held illegal and void.

Payment of
insurrection-
ary debt
inhibited

SEC. 5. The congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

ARTICLE XV¹

SECTION 1. The right of the citizens of the United States to vote shall not be denied or abridged by the United States, or by any state, on account of race, color, or previous condition of servitude.

SEC. 2. The congress shall have power to enforce this article by appropriate legislation.

¹Article XV was proposed by congress February 26, 1869, and declared in force March 30, 1870.

Ratified by Alabama, Arkansas, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Texas, Vermont, Virginia, West Virginia, and Wisconsin—30.

Of the above, Georgia and Ohio at first rejected, but finally ratified. New York rescinded her ratification.

Rejected by California, Delaware, Kentucky, Maryland, New Jersey, and Oregon—6.

No final action was taken by Tennessee—1.

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CONSTITUTION

OF THE

STATE OF NEVADA



Constitution of the State of Nevada

[As amended up to and including November 8, 1910]

PRELIMINARY ACTION

1. WHEREAS, The act of congress, approved March twenty-first, A. D. eighteen hundred and sixty-four, "To enable the people of the Territory of Nevada to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states," requires that the members of the convention for framing said constitution shall, after organization, on behalf of the people of said territory, adopt the constitution of the United States; therefore be it

Preamble

2. Resolved, That the members of this convention, elected by the authority of the aforesaid enabling act of congress, as assembled in Carson City, the capital of said Territory of Nevada, and immediately subsequent to its organization, do adopt, on behalf of the people of said territory, the constitution of the United States.

United States constitution adopted

ORDINANCE

3. In obedience to the requirements of an act of the congress of the United States, approved March twenty-first, A. D. eighteen hundred and sixty-four, to enable the people of Nevada to form a constitution and state government, this convention, elected and convened in obedience to said enabling act, do ordain as follows, and this ordinance shall be irrevocable, without the consent of the United States and the people of the State of Nevada:

Ordinance made irrevocable

First—That there shall be in this state neither slavery nor involuntary servitude, otherwise than in the punishment for crimes, whereof the party shall have been duly convicted.

Slavery inhibited

Second—That perfect toleration of religious sentiment shall be secured, and no inhabitant of said state shall ever be molested, in person or property, on account of his or her mode of religious worship.

Freedom of worship secured

Third—That the people inhabiting said territory do agree, and declare, that they forever disclaim all right and title to

Right to
public land
disclaimed

the unappropriated public lands lying within said territory, and that the same shall be and remain at the sole and entire disposition of the United States; and that lands belonging to citizens of the United States, residing without the said state, shall never be taxed higher than the land belonging to residents thereof; and that no taxes shall be imposed by said state on lands or property therein belonging to, or which may hereafter be purchased by, the United States.

PREAMBLE

4. We, the people of the State of Nevada, grateful to Almighty God for our freedom, in order to secure its blessings, insure domestic tranquility, and form a more perfect government, do establish this

CONSTITUTION

ARTICLE I

DECLARATION OF RIGHTS

Constitution
proclaimed

SECTION 1. All men are, by nature, free and equal, and have certain inalienable rights, among which are those of enjoying and defending life and liberty; acquiring, possessing and protecting property, and pursuing and obtaining safety and happiness.

Declaration
of rights

Paramount
allegiance

SEC. 2. All political power is inherent in the people. Government is instituted for the protection, security and benefit of the people; and they have the right to alter or reform the same whenever the public good may require it. But the paramount allegiance of every citizen is due to the federal government, in the exercise of all its constitutional powers, as the same have been, or may be, defined by the supreme court of the United States, and no power exists in the people of this or any other state of the federal union to dissolve their connection therewith, or perform any act tending to impair, subvert, or resist the supreme authority of the government of the United States. The constitution of the United States confers full power on the federal government to maintain and perpetuate its existence, and whensoever any portion of the states, or people thereof, attempt to secede from the federal union, or forcibly resist the execution of its laws, the federal government may, by warrant of the constitution, employ armed force in compelling obedience to its authority.

Right of
secession
denied

Trial by jury
secured

SEC. 3. The right of trial by jury shall be secured to all, and remain inviolate forever; but a jury trial may be waived by the parties in all civil cases, in the manner to be prescribed by law; and in civil cases, if three-fourths of the jurors agree upon a verdict, it shall stand and have the same force and effect as a verdict by the whole jury; *provided*, the

legislature, by a law passed by a two-thirds vote of all the members elected to each branch thereof, may require a unanimous verdict, notwithstanding this provision.

SEC. 4. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed in this state; and no person shall be rendered incompetent to be a witness on account of his opinions on matters of his religious belief; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of this state.

Freedom of
worship
secured

SEC. 5. The privilege of the writ of *habeas corpus* shall not be suspended, unless when, in case of rebellion or invasion, the public safety may require its suspension.

Habeas
corpus
suspended,
when

SEC. 6. Excessive bail shall not be required, nor excessive fines imposed; nor shall cruel or unusual punishments be inflicted; nor shall witnesses be unreasonably detained.

Bail, fines
and punish-
ments
limited

SEC. 7. All persons shall be bailable by sufficient sureties, unless for capital offenses when the proof is evident or the presumption great.

SEC. 8. No person shall be tried for a capital or other infamous crime (except in cases of impeachment, and in cases of the militia when in actual service, and the land and naval forces in time of war, or which this state may keep, with the consent of congress, in time of peace, and in cases of petit larceny, under the regulation of the legislature, except on presentment or indictment of a grand jury; and in any trial in any court whatever the party accused shall be allowed to appear and defend in person and with counsel, as in civil actions. No person shall be subject to be twice put in jeopardy for the same offense; nor shall he be compelled in any criminal case to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation having been first made or secured, except in cases of war, riot, fire, or great public peril, in which case compensation shall be afterward made.

Trial on
indictment
secured

Not to be
twice put in
jeopardy

Private
property for
public use

SEC. 9. Every citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that right; and no law shall be passed to restrain or abridge the liberty of speech or of the press. In all criminal prosecutions and civil actions for libels the truth may be given in evidence to the jury, and if it shall appear to the jury that the matter charged as libelous is true, and was published with good motives, and for justifiable ends, the party shall be acquitted or exonerated.

Freedom of
speech and
press

SEC. 10. The people shall have the right freely to assemble together to consult for the common good, to instruct their representatives, and to petition the legislature for redress of grievances.

Right of
assembly
and petition

SEC. 11. The military shall be subordinate to the civil

Military
establish-
ment limited

power. No standing army shall be maintained by this state in time of peace, and in time of war no appropriation for a standing army shall be for a longer time than two years.

Soldier
quartered,
how

SEC. 12. No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war, except in the manner to be prescribed by law.

Rep-
resentation

SEC. 13. Representation shall be apportioned according to population.

Debtor's
property
exempt from
execution

SEC. 14. The privilege of the debtor to enjoy the necessary comforts of life shall be recognized by wholesome laws, exempting a reasonable amount of property from seizure or sale for payment of any debts or liabilities hereafter contracted; and there shall be no imprisonment for debt, except in cases of fraud, libel, or slander, and no person shall be imprisoned for a militia fine in time of peace.

Certain
inhibitions

SEC. 15. No bill of attainder, *ex post facto* law, or law impairing the obligation of contracts, shall ever be passed.

Rights of
foreigners

SEC. 16. Foreigners who are, or may hereafter become, bona fide residents of this state, shall enjoy the same rights in respect to the possession, enjoyment and inheritance of property as native-born citizens.

Slavery
prohibited

SEC. 17. Neither slavery nor involuntary servitude, unless for the punishment of crimes, shall ever be tolerated in this state.

Search and
seizure
regulated

SEC. 18. The right of the people to be secure in their persons, houses, papers, and effects against unreasonable seizures and searches, shall not be violated; and no warrant shall issue but on probable cause, supported by oath or affirmation, particularly describing the place or places to be searched, and the person or persons, and thing or things to be seized.

Treason
defined

SEC. 19. Treason against the state shall consist only in levying war against it, adhering to its enemies, or giving them aid or comfort. And no person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

SEC. 20. This enumeration of rights shall not be construed to impair or deny others retained by the people.

ARTICLE II

RIGHT OF SUFFRAGE

How and by
whom the
franchise
may be
enjoyed

SECTION 1. Every male citizen of the United States (not laboring under the disabilities named in this constitution) of the age of twenty-one years and upwards, who shall have actually, and not constructively, resided in the state six months, and in the district or county thirty days, next preceding any election, shall be entitled to vote for all officers that now are or hereafter may be elected by the people, and upon all questions submitted to the electors at such election: *provided*, that no person who has been or may be convicted

of treason or felony in any state or territory of the United States, unless restored to civil rights, and no person who, after arriving at the age of eighteen years, shall have voluntarily borne arms against the United States, or held civil or military office under the so-called confederate states, or either of them, unless an amnesty be granted to such by the federal government, and no idiot or insane person, shall be entitled to the privilege of an elector.

[Amended by striking out the word *white* before the word *male*. Proposed and passed at the eighth session of the legislature, January 15, 1877, Statutes of 1877, page 213; agreed to and passed at the ninth session of the legislature, January 27, 1879, Statutes of 1879, page 149, and approved and ratified by the people at the general election of 1880.]

SEC. 2. For the purpose of voting, no person shall be deemed to have gained or lost a residence by reason of his presence or absence while employed in the service of the United States, nor while engaged in the navigation of the waters of the United States or of the high seas; nor while a student of any seminary of learning; nor while kept at any almshouse or other asylum, at public expense; nor while confined in any public prison.

Residence defined

SEC. 3. The right of suffrage shall be enjoyed by all persons, otherwise entitled to the same, who may be in the military or naval service of the United States; *provided*, the votes so cast shall be made to apply to the county and township of which said voters were bona fide residents at the time of their enlistment; and *provided further*, that the payment of a poll tax or a registration of such voters shall not be required as a condition to the right of voting. Provision shall be made by law regulating the manner of voting, holding elections, and making returns of such elections, wherein other provisions are not contained in this constitution.

Soldiers and sailors may vote

SEC. 4. During the day on which any general election shall be held in this state, no qualified elector shall be arrested by virtue of any civil process.

Civil process suspended

SEC. 5. All elections by the people shall be by ballot, and all elections by the legislature, or by either branch thereof, shall be "*viva voce*."

Elections by ballot

SEC. 6. Provision shall be made by law for the registration of the names of the electors within the counties of which they may be residents, and for the ascertainment, by proper proofs, of the persons who shall be entitled to the right of suffrage, as hereby established, to preserve the purity of elections, and to regulate the manner of holding and making returns of the same; and the legislature shall have power to prescribe by law any other or further rules or oaths as may be deemed necessary as a test of electoral qualifications.

Electors registered

SEC. 7. The legislature shall provide by law for the payment of an annual poll tax, of not less than two nor exceeding four dollars, from each male person resident in the state

Poll tax provided for

between the ages of twenty-one and sixty years (uncivilized American Indians excepted), to be expended for the maintenance and betterment of the public roads.

[As amended. Proposed and passed at the twenty-third session of the legislature, March 29, 1907, Statutes of 1907, page 450; agreed to and passed at the twenty-fourth session of the legislature, March 16, 1909, Statutes of 1909, page 344, and approved and ratified by the people at the general election of 1910.]

Whom may
vote on
constitution

SEC. 8. All persons qualified by law to vote for representatives to the general assembly of the Territory of Nevada, on the twenty-first day of March, A. D. eighteen hundred and sixty-four, and all other persons who may be lawful voters in said territory on the first Wednesday of September next following, shall be entitled to vote directly upon the question of adopting or rejecting this constitution.

ARTICLE III

DISTRIBUTION OF POWERS

Powers of
government

SECTION 1. The powers of the government of the State of Nevada shall be divided into three separate departments—the legislative, the executive, and the judicial; and no person charged with the exercise of powers properly belonging to one of these departments shall exercise any functions appertaining to either of the others, except in the cases herein expressly directed or permitted.

ARTICLE IV

LEGISLATIVE DEPARTMENT

Legislative
authority
vested

SECTION 1. The legislative authority of this state shall be vested in the senate and assembly, which shall be designated "The Legislature of the State of Nevada," and the sessions of such legislature shall be held at the seat of government of the state.

To convene,
when

SEC. 2. The sessions of the legislature shall be biennial, and shall commence on the *third* Monday of January next ensuing the election of members of the assembly, unless the governor of the state shall, in the interim, convene the legislature by proclamation.

[Amended by changing *first* Monday to *third* Monday in January. Proposed and passed at the twelfth session of the legislature, February 23, 1885, Statutes of 1885, page 151; agreed to and passed at the thirteenth session of the legislature, March 3, 1887, Statutes of 1887, page 165, and approved and ratified by the people at a special election held February 11, 1889.]

Assembly-
men chosen

SEC. 3. The members of the assembly shall be chosen biennially by the qualified electors of their respective districts, on the Tuesday next after the first Monday in November, and their term of office shall be two years from the day next after their election.

Senators
chosen

SEC. 4. Senators shall be chosen at the same time and places as members of the assembly, by the qualified electors of their respective districts, and their term of office shall be four years from the day next after their election.

SEC. 5. Senators and members of the assembly shall be Who eligible
duly qualified electors in the respective counties and districts
which they represent, and the number of senators shall not
be less than one-third nor more than one-half of that of the
members of the assembly.

SEC. 6. Each house shall judge of the qualifications, elec- Powers of
tions, and returns of its own members, choose its own officers each
(except the president of the senate), determine the rules of
its proceedings, and may punish its members for disorderly
conduct, and, with the concurrence of two-thirds of all the
members elected, expel a member.

SEC. 7. Either house, during the session, may punish, by
imprisonment, any person, not a member, who shall have
been guilty of disrespect to the house by disorderly or con-
temptuous behavior in its presence; but such imprisonment
shall not extend beyond the final adjournment of the session.

SEC. 8. No senator or member of the assembly shall, during Members
the term for which he shall have been elected, nor for one not to be
year thereafter, be appointed to any civil office of profit beneficiaries
under this state which shall have been created, or the emolu-
ments of which shall have been increased, during such term,
except such office as may be filled by election by the people.

SEC. 9. No person holding any lucrative office under the Persons not
government of the United States, or any other power, shall eligible, when
be eligible to any civil office of profit under this state; *pro-
vided*, that postmasters whose compensation does not exceed
five hundred dollars per annum, or commissioners of deeds,
shall not be deemed as holding a lucrative office.

SEC. 10. Any person who shall be convicted of the embez- Disqualified
zement or defalcation of the public funds of this state, or from office
who may be convicted of having given or offered a bribe to holding
procure his election or appointment to office, or received a
bribe to aid in the procurement of office for any other person,
shall be disqualified from holding any office of profit or trust
in this state. And the legislature shall, as soon as practi-
cable, provide by law for the punishment of such defalcation,
bribery, or embezzlement as a felony.

SEC. 11. Members of the legislature shall be privileged Members
from arrest on civil process during the session of the legis- exempt from
lature, and for fifteen days next before the commencement of civil process
each session. during
session of
legislature

SEC. 12. When vacancies occur in either house, the gov-
ernor shall issue writs of election to fill such vacancy.

SEC. 13. A majority of all the members elected to each Rules
house shall constitute a quorum to transact business, but a relating to
smaller number may adjourn, from day to day, and may com- legislative
pel the attendance of absent members in such manner and procedure
under such penalties as each house may prescribe.

SEC. 14. Each house shall keep a journal of its own pro-
ceedings, which shall be published, and the yeas and nays
of the members of either house, on any question, shall, at

the desire of any three members present, be entered on the journal.

Rules
relating to
legislative
procedure

SEC. 15. The doors of each house shall be kept open during its session, except the senate while sitting in executive session, and neither shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which they may be holding their sessions.

SEC. 16. Any bill may originate in either house of the legislature, and all bills passed by one may be amended in the other.

SEC. 17. Each law enacted by the legislature shall embrace but one subject, and matters properly connected therewith, which subject shall be briefly expressed in the title; and no law shall be revised or amended by reference to its title only; but, in such case, the act as revised, or section as amended, shall be reenacted and published at length.

SEC. 18. Every bill shall be read by sections on three several days in each house, unless, in case of emergency, two-thirds of the house where such bill may be pending shall deem it expedient to dispense with this rule; but the reading of a bill by sections, on its final passage, shall in no case be dispensed with, and the vote on the final passage of every bill or joint resolution shall be taken by yeas and nays, to be entered on the journals of each house; and a majority of all the members elected to each house shall be necessary to pass every bill or joint resolution, and all bills or joint resolutions so passed shall be signed by the presiding officers of the respective houses, and by the secretary of the senate and clerk of the assembly.

Public
moneys, how
disbursed
and
accounted
for

SEC. 19. No money shall be drawn from the treasury but in consequence of appropriations made by law. An accurate statement of the receipts and expenditures of the public money shall be attached to and published with the laws at every regular session of the legislature.

Legislative
powers
restricted

SEC. 20. The legislature shall not pass local or special laws in any of the following enumerated cases—that is to say: Regulating the jurisdiction and duties of the justices of the peace and of constables; for the punishment of crimes and misdemeanors; regulating the practice of courts of justice; providing for changing the venue in civil and criminal cases; granting divorces; changing the names of persons; vacating roads, town plots, streets, alleys and public squares; summoning and impaneling grand and petit juries, and providing for their compensation; regulating county and township business; regulating the election of county and township officers; for the assessment and collection of taxes for state, county and township purposes; providing for opening and conducting elections of state, county and township officers, and designating the places of voting; providing for the sale of real estate or personal property belonging to minors or

other persons under legal disabilities; giving effect to invalid deeds, wills or other instruments; refunding money paid into the state treasury, or into the treasury of any county; releasing the indebtedness, liability or obligation of any corporation, association or person to the state, or to any county, town or city of this state. But nothing in this section shall be construed to deny or restrict the power of the legislature to establish and regulate the compensation and fees of county and township officers; to establish and regulate the rates of freight, passage, toll, and charges of railroads, toll roads, ditch, flume and tunnel companies incorporated under the laws of this state or doing business therein.

Powers
restricted

[As amended. Proposed and passed at the twelfth session of the legislature, February 23, 1885, Statutes of 1885, page 152; agreed to and passed at the thirteenth session of the legislature, March 3, 1887, Statutes of 1887, page 166, and approved and ratified by the people at a special election held February 11, 1889.]

SEC. 21. In all cases enumerated in the preceding section, and in all other cases where a general law can be made applicable, all laws shall be general and of uniform operation throughout the state.

Laws
general and
uniform

SEC. 22. Provision may be made by general law for bringing suit against the state as to all liabilities originating after the adoption of this constitution.

Suit may be
brought
against the
state

SEC. 23. The enacting clause of every law shall be as follows: "The People of the State of Nevada, represented in Senate and Assembly, do enact as follows," and no law shall be enacted except by bill.

SEC. 24. No lottery shall be authorized by this state, nor shall the sale of lottery tickets be allowed.

Lottery
inhibited

SEC. 25. The legislature shall establish a system of county and township government, which shall be uniform throughout the state.

County
government

SEC. 26. The legislature shall provide by law for the election of a board of county commissioners in each county, and such county commissioners shall, jointly and individually, perform such duties as may be prescribed by law.

SEC. 27. Laws shall be made to exclude from serving on juries all persons not qualified electors of the state, and all persons who shall have been convicted of bribery, perjury, forgery, larceny, or other high crimes, unless restored to civil rights; and laws shall be passed regulating elections, and prohibiting, under adequate penalties, all undue influence thereon from power, bribery, tumult, or other improper practice.

Who may be
excused
from juries

SEC. 28. No money shall be drawn from the state treasury as salary or compensation to any officer or employee of the legislature, or either branch thereof, except in cases where such salary or compensation has been fixed by a law in force prior to the election or appointment of such officer or employee, and the salary or compensation so fixed shall

Compensation fixed
by law

neither be increased nor diminished so as to apply to any officer or employee of the legislature, or either branch thereof, at such session; *provided*, that this restriction shall not apply to the first session of the legislature.

Legislative
session
limited

SEC. 29. The first regular session of the legislature under this constitution may extend to ninety days, but no subsequent regular session shall exceed sixty days, nor any special session convened by the governor exceed twenty days.

Homestead
exempt from
forced sale

SEC. 30. A homestead, as provided by law, shall be exempt from forced sale under any process of law, and shall not be alienated without the joint consent of husband and wife when that relation exists; but no property shall be exempt from sale for taxes or for the payment of obligations contracted for the purchase of said premises, or for the erection of improvements thereon; *provided*, the provisions of this section shall not apply to any process of law obtained by virtue of a lien given by the consent of both husband and wife, and laws shall be enacted providing for the recording of such homestead within the county in which the same shall be situated.

Separate
property of
wife

SEC. 31. All property, both real and personal, of the wife, owned or claimed by her before marriage, and that acquired afterward by gift, devise or descent, shall be her separate property; and laws shall be passed more clearly defining the rights of the wife in relation, as well to her separate property as to that held in common with her husband. Laws shall also be passed providing for the registration of the wife's separate property.

Power of
legislature
over county
officers

SEC. 32. The legislature shall have power to increase, diminish, consolidate, or abolish the following county officers: County clerks, county recorders, auditors, sheriffs, district attorneys, county surveyors, public administrators, and superintendents of schools. The legislature shall provide for their election by the people, and fix by law their duties and compensation. County clerks shall be ex officio clerks of the courts of record and of the boards of county commissioners in and for their respective counties.

[As amended. Proposed and passed at the thirteenth session of the legislature, March 3, 1887, Statutes of 1887, page 161; agreed to and passed at the fourteenth session of the legislature, January 17, 1889, Statutes of 1889, page 151, and approved and ratified by the people at a special election held February 11, 1889.]

Compensation of
legislators

SEC. 33. The members of the legislature shall receive for their services a compensation to be fixed by law, and paid out of the public treasury; but no increase of such compensation shall take effect during the term for which the members of either house shall have been elected; *provided*, that an appropriation may be made for the payment of such actual expenses as members of the legislature may incur for postage, express charges, newspapers and stationery, not exceeding the sum of sixty dollars for any general or special session, to each member; and *furthermore provided*, that the speaker

of the assembly, and lieutenant-governor, as president of the senate, shall each, during the time of their actual attendance as such presiding officers, receive an additional allowance of two dollars per diem.

SEC. 34. In all elections for United States senators, such elections shall be held in joint convention of both houses of the legislature. It shall be the duty of the legislature which convenes next preceding the expiration of the term of such senator, to elect his successor. If a vacancy in such senatorial representation from any cause occur, it shall be the duty of the legislature then in session, or at the succeeding session thereof, to supply such vacancy. If the legislature shall, at any time, as herein provided, fail to unite in a joint convention within twenty days after the commencement of the session of the legislature for the election [of] such senator, it shall be the duty of the governor, by proclamation, to convene the two houses of the legislature in joint convention within not less than five days, nor exceeding ten days, from the publication of his proclamation, and the joint convention when so assembled shall proceed to elect the senator as herein provided.

Election of
United
States
senators

SEC. 35. Every bill which may have passed the legislature shall, before it becomes a law, be presented to the governor. If he approve, he shall sign it; but if not, he shall return it, with his objections, to the house in which it originated, which house shall cause such objections to be entered upon its journal, and proceed to reconsider it; if, after such reconsideration, it again pass both houses, by yeas and nays, by a vote of two-thirds of the members elected to each house, it shall become a law, notwithstanding the governor's objections. If any bill shall not be returned within five days after it shall have been presented to him (Sundays excepted), exclusive of the day on which he received it, the same shall be a law in like manner as if he had signed it, unless the legislature, by its final adjournment, prevent such return, in which case it shall be a law, unless the governor, within ten days next after the adjournment (Sundays excepted), shall file such a bill, with his objections thereto, in the office of the secretary of state, who shall lay the same before the legislature at its next session, in like manner as if it had been returned by the governor; and if the same shall receive the vote of two-thirds of the members elected to each branch of the legislature, upon a vote taken by yeas and nays, to be entered upon the journals of each house, it shall become a law

Executive
action on
bills

May become
law after
veto

ARTICLE V

EXECUTIVE DEPARTMENT

SECTION 1. The supreme executive power of this state shall be vested in a chief magistrate, who shall be governor of the State of Nevada.

Executive
power vested

Governor elected SEC. 2. The governor shall be elected by the qualified electors at the time and places of voting for members of the legislature, and shall hold his office for four years from the time of his installation, and until his successor shall be qualified.

Who eligible to office of governor SEC. 3. No person shall be eligible to the office of governor who is not a qualified elector, and who, at the time of such election, has not attained the age of twenty-five years, and who, except at the first election under this constitution, shall not have been a citizen resident of this state for two years next preceding the election.

Disposition of election returns SEC. 4. The returns of every election for governor, and other state officers voted for at the general election, shall be scaled up and transmitted to the seat of government, directed to the secretary of state; and on the third Monday of December succeeding such election, the chief justice of the supreme court, and the associate justices, or a majority thereof, shall meet at the office of the secretary of state, and open and canvass the election returns for governor and all other state officers, and forthwith declare the result and publish the names of the persons elected. The persons having the highest number of votes for the respective offices shall be declared elected, but in case any two or more have an equal and the highest number of votes for the same office, the legislature shall, by joint vote of both houses, elect one of said persons to fill said office.

Military authority of governor SEC. 5. The governor shall be commander-in-chief of the military forces of this state, except when they shall be called into the service of the United States.

Duties of governor SEC. 6. He shall transact all executive business with the officers of the government, civil and military, and may require information in writing from the officers of the executive department upon any subject relating to the duties of their respective offices.

SEC. 7. He shall see that the laws are faithfully executed.

May fill vacancies SEC. 8. When any office shall, from any cause, become vacant, and no mode is provided by the constitution and laws for filling such vacancy, the governor shall have the power to fill such vacancy by granting a commission which shall expire at the next election and qualification of the person elected to such office.

May convene legislature SEC. 9. The governor may, on extraordinary occasions, convene the legislature by proclamation, and shall state to both houses, when organized, the purpose for which they have been convened, and the legislature shall transact no legislative business except that for which they were especially convened, or such other legislative business as the governor may call to the attention of the legislature while in session.

Message to legislature SEC. 10. He shall communicate by message to the legislature at every regular session the condition of the state, and recommend such measures as he may deem expedient.

SEC. 11. In case of a disagreement between the two houses, with respect to the time of adjournment, the governor shall have power to adjourn the legislature to such time as he may think proper; *provided*, it be not beyond the time fixed for the meeting of the next legislature.

May adjourn legislature

SEC. 12. No person shall while holding any office under the United States government hold the office of governor, except as herein expressly provided.

Certain persons ineligible

SEC. 13. The governor shall have the power to suspend the collection of fines and forfeitures, and grant reprieves for a period not exceeding sixty days dating from the time of conviction, for all offenses, except in cases of impeachment. Upon conviction for treason, he shall have power to suspend the execution of the sentence until the case shall be reported to the legislature at its next meeting, when the legislature shall either pardon, direct the execution of the sentence, or grant a further reprieve. And if the legislature shall fail or refuse to make final disposition of such case, the sentence shall be enforced at such time and place as the governor by his order may direct. The governor shall communicate to the legislature, at the beginning of every session, every case of fine or forfeiture remitted, or reprieve, pardon, or commutation granted, stating the name of the convict, the crime of which he was convicted, the sentence, its date, and the date of the remission, commutation, pardon or reprieve.

Duties of governor as to fines and forfeitures

SEC. 14. The governor, justices of the supreme court and attorney-general, or a major part of them, of whom the governor shall be one, may, upon such conditions and with such limitations and restrictions as they may think proper, remit fines and forfeitures, commute punishments and grant pardons, after convictions, in all cases, except treason and impeachments, subject to such regulations as may be provided by law relative to the manner of applying for pardons.

Personnel of the board of pardons

SEC. 15. There shall be a seal of this state, which shall be kept by the governor, and used by him officially, and shall be called "The Great Seal of the State of Nevada."

Seal of state

SEC. 16. All grants and commissions shall be in the name and by the authority of the State of Nevada, sealed with the great seal of the state, signed by the governor and countersigned by the secretary of state.

Grants in name of state

SEC. 17. A lieutenant-governor shall be elected at the same time and places, and in the same manner as the governor, and his term of office and his eligibility shall also be the same. He shall be president of the senate, but shall only have a casting vote therein. If, during a vacancy of the office of governor, the lieutenant-governor shall be impeached, displaced, resign, die, or become incapable of performing the duties of the office, or be absent from the state, the president *pro tempore* of the senate shall act as governor until the vacancy be filled or the disability cease.

Election and duties of lieutenant-governor

SEC. 18. In case of the impeachment of the governor, or

Lieutenant-
governor to
succeed
governor

his removal from office, death, inability to discharge the duties of the said office, resignation or absence from the state, the powers and duties of the office shall devolve upon the lieutenant-governor for the residue of the term, or until the disability shall cease. But when the governor shall, with the consent of the legislature, be out of the state in time of war, and at the head of any military force thereof, he shall continue commander-in-chief of the military forces of the state.

State
officers,
terms of
office

SEC. 19. A secretary of state, a treasurer, a controller, a surveyor-general, and an attorney-general, shall be elected at the same time and places, and in the same manner as the governor. The term of office of each shall be the same as is prescribed for the governor. Any elector shall be eligible to either of said offices.

Duties of
secretary of
state

SEC. 20. The secretary of state shall keep a true record of the official acts of the legislative and executive departments of the government, and shall, when required, lay the same, and all matters relative thereto, before either branch of the legislature.

Personnel of
board of
state prison
commissioners and
board of
examiners

SEC. 21. The governor, secretary of state, and attorney-general shall constitute a board of state prison commissioners, which board shall have such supervision of all matters connected with the state prison as may be provided by law. They shall also constitute a board of examiners, with power to examine all claims against the state (except salaries or compensation of officers fixed by law), and perform such other duties as may be prescribed by law, and no claim against the state (except salaries or compensation of officers fixed by law) shall be passed upon by the legislature without having been considered and acted upon by said board of examiners.

SEC. 22. The secretary of state, state treasurer, state controller, surveyor-general, attorney-general and superintendent of public instruction shall perform such other duties as may be prescribed by law.

ARTICLE VI

JUDICIAL DEPARTMENT

Judicial
power
vested

SECTION 1. The judicial power of this state shall be vested in a supreme court, district courts and in justices of the peace. The legislature may also establish courts, for municipal purposes only, in incorporated cities and towns.

Supreme
court, how
constituted

SEC. 2. The supreme court shall consist of a chief justice and two associate justices, a majority of whom shall constitute a quorum; *provided*, that the legislature, by a majority of all the members elected to each branch thereof, may provide for the election of two additional associate justices, and if so increased three shall constitute a quorum. The concurrence of a majority of the whole court shall be necessary to render a decision.

SEC. 3. The justices of the supreme court shall be elected by the qualified electors of the state at the general election, and shall hold office for a term of six years from and including the first Monday of January next succeeding their election: *provided*, that there shall be elected, at the first election under this constitution, three justices of the supreme court, who shall hold office from and including the first Monday of December, A. D. eighteen hundred and sixty-four, and continue in office thereafter two, four and six years, respectively, from and including the first Monday of January next succeeding their election. They shall meet as soon as practicable after their election and qualification, and at their first meeting shall determine, by lot, the term of office each shall fill, and the justice drawing the shortest term shall be chief justice, and after the expiration of his term, the one having the next shortest term shall be chief justice, after which the senior justice in commission shall be chief justice, and in case the commission of any two or more of said justices shall bear the same date, they shall determine by lot who shall be chief justice.

Election of
justices of

Rank of
justices

SEC. 4. The supreme court shall have appellate jurisdiction in all cases in equity; also, in all cases at law in which is involved the title or right of possession to, or the possession of, real estate or mining claims, or the legality of any tax, impost, assessment, toll or municipal fine, or in which the demand (exclusive of interest) or the value of the property in controversy exceeds three hundred dollars; also, in all other civil cases not included in the general subdivisions of law and equity, and also on questions of law alone in all criminal cases in which the offense charged amounts to felony. The court shall also have power to issue writs of *mandamus*, *certiorari*, prohibition, *quo warranto* and *habeas corpus*, and also all writs necessary or proper to the complete exercise of its appellate jurisdiction. Each of the justices shall have power to issue writs of *habeas corpus* to any part of the state upon petition by, or on behalf of, any person held in actual custody, and may make such writs returnable before himself or the supreme court, or before any district court in the state, or before any judge of said courts.

Jurisdiction
and powers
of

SEC. 5. The state is hereby divided into nine judicial districts, of which the county of Storey shall constitute the first; the county of Ormsby the second; the county of Lyon the third; the county of Washoe the fourth; the counties of Nye and Churchill the fifth; the county of Humboldt the sixth; the county of Lander the seventh; the county of Douglas the eighth, and the county of Esmeralda the ninth. The county of Roop shall be attached to the county of Washoe for judicial purposes, until otherwise provided by law. The legislature may, however, provide by law for an alteration in the boundaries or divisions of the districts herein prescribed, and also for increasing or diminishing the number

State divided
into judicial
districts

State divided
into judicial
districts

of the judicial districts and judges therein. But no such change shall take effect, except in case of a vacancy, or the expiration of the term of an incumbent of the office. At the first general election under this constitution, there shall be elected in each of the respective districts (except as in this section hereafter otherwise provided) one district judge, who shall hold office from and including the first Monday of December, A. D. eighteen hundred and sixty-four, and until the first Monday of January, in the year eighteen hundred and sixty-seven. After the first said election, there shall be elected at the general election which immediately precedes the expiration of the term of his predecessor, one district judge in each of the respective judicial districts (except in the first district, as in this section hereinafter provided). The district judges shall be elected by the qualified electors of their respective districts, and shall hold office for the term of four years (excepting those elected at said first election) from and including the first Monday of January next succeeding their election and qualification; *provided*, that the first judicial district shall be entitled to, and shall have, three district judges, who shall possess coextensive and concurrent jurisdiction, and who shall be elected at the same times, in the same manner, and shall hold office for the like terms as herein prescribed in relation to the judges in other judicial districts. Any one of said judges may preside on the empaneling of grand juries, and the presentment and trial on indictments, under such rules and regulations as may be prescribed by law.

Manner of
electing
judges

Jurisdiction
of district
courts

SEC. 6. The district courts in the several judicial districts of this state shall have original jurisdiction in all cases in equity; also, in all cases at law which involve the title or the right of possession to, or the possession of, real property or mining claims, or the legality of any tax, impost, assessment, toll or municipal fine, and in all other cases in which the demand (exclusive of interest) or the value of the property in controversy exceeds three hundred dollars; also, in all cases relating to the estates of deceased persons, and the persons and estates of minors and insane persons, and of the action of forcible entry and unlawful detainer; and also in all criminal cases not otherwise provided for by law; they shall also have final appellate jurisdiction in cases arising in justices courts and such other inferior tribunals as may be established by law. The district courts and the judges thereof shall have power to issue writs of *mandamus*, *injunction*, *quo warranto*, *certiorari*, and all other writs proper and necessary to the complete exercise of their jurisdiction; and also shall have power to issue writs of *habeas corpus* on petition by, or in behalf of, any person held in actual custody in their respective districts.

SEC. 7. The times of holding the supreme court and dis-

trict courts shall be as fixed by law. The terms of the supreme court shall be held at the seat of government; and the terms of the district courts shall be held at the county-seats of their respective counties; *provided*, that in case any county shall be hereafter divided into two or more districts, the legislature may by law designate the places of holding courts in any such districts.

SEC. 8. The legislature shall determine the number of justices of the peace to be elected in each city and township of the state, and shall fix, by law, their powers, duties and responsibilities; *provided*, that such justices courts shall not have jurisdiction of the following cases, viz.: First—Of cases in which the matter in dispute is a money demand or personal property, and the amount of the demand (exclusive of interest) or the value of the property exceeds three hundred dollars. Second—Of cases wherein the title to real estate or mining claims, or questions of boundaries to land, is or may be involved; or of cases that in any manner shall conflict with the jurisdiction of the several courts of record in this state; *and provided further*, that justices courts shall have such criminal jurisdiction as may be prescribed by law; and the legislature may confer upon said courts jurisdiction concurrent with the district courts, of actions to enforce mechanics' liens wherein the amount (exclusive of interest) does not exceed three hundred dollars; and also of actions for the possession of lands and tenements, where the relation of landlord and tenant exists, or when such possession has been unlawfully or fraudulently obtained or withheld. The legislature shall also prescribe by law the manner and determine the cases in which appeals may be taken from justices and other courts. The supreme court, the district court, and such other courts as the legislature shall designate, shall be courts of record.

Jurisdiction
of justice
courts

SEC. 9. Provision shall be made by law prescribing the powers, duties and responsibilities of any municipal court that may be established in pursuance of section one of this article; and also fixing by law the jurisdiction of said court, so as not to conflict with that of the several courts of record.

Possible
municipal
courts

SEC. 10. No judicial officer, except justices of the peace and city recorders, shall receive to his own use any fees or perquisites of office.

SEC. 11. The justices of the supreme court and the district judges shall be ineligible to any office, other than a judicial office, during the term for which they shall have been elected; and all elections or appointments of any such judges by the people, legislature or otherwise, during said period, to any office other than judicial, shall be void.

Eligibility to
office
limited

SEC. 12. Judges shall not charge juries in respect to matters of fact, but may state the testimony and declare the law.

Matters of
practice

SEC. 13. The style of all process shall be "The State of Nevada," and all prosecutions shall be conducted in the name and by the authority of the same.

SEC. 14. There shall be but one form of civil action, and law and equity may be administered in the same action.

Com-
pensation of
judicial
officers

SEC. 15. The justices of the supreme court and district judges shall each receive quarterly for their services a compensation to be fixed by law, and which shall not be increased or diminished during the term for which they shall have been elected, unless in case a vacancy occurs, in which case the successor of the former incumbent shall receive only such salary as may be provided by law at the time of his election or appointment; and provision shall be made by law for setting apart from each year's revenue a sufficient amount of money to pay such compensation; *provided*, that district judges shall be paid out of the county treasuries of the counties composing their respective districts.

Relating to
court fees

SEC. 16. The legislature at its first session, and from time to time thereafter, shall provide by law that upon the institution of each civil action and other proceedings, and also upon the perfecting of an appeal in any civil action or proceeding in the several courts of record in this state, a special court fee or tax shall be advanced to the clerks of said courts, respectively, by the party or parties bringing such action or proceeding, or taking such appeal; and the money so paid in shall be accounted for by such clerks, and applied towards the payment of the compensation of the judges of said courts, as shall be directed by law.

Leave of
absence of
judicial
officers
limited

SEC. 17. The legislature shall have no power to grant leave of absence to a judicial officer, and any such officer who shall absent himself from the state for more than ninety consecutive days shall be deemed to have vacated his office.

SEC. 18. No judicial officer shall be superseded, nor shall the organization of the several courts of the Territory of Nevada be changed, until the election and qualification of the several officers provided for in this article.

ARTICLE VII

IMPEACHMENT AND REMOVAL FROM OFFICE

Powers of
impeach-
ment
conferred

SECTION 1. The assembly shall have the sole power of impeaching. The concurrence of a majority of all the members elected shall be necessary to an impeachment. All impeachments shall be tried by the senate, and, when sitting for that purpose, the senators shall be upon oath or affirmation to do justice according to law and evidence. The chief justice of the supreme court shall preside over the senate while sitting to try the governor or lieutenant-governor upon impeachment. No person shall be convicted without the concurrence of two-thirds of the senators elected.

SEC. 2. The governor and the other state and judicial

officers, except justices of the peace, shall be liable to impeachment for misdemeanor or malfeasance in office; but judgment in such case shall not extend further than removal from office, and disqualification to hold any office of honor, profit, or trust, under this state. The party, whether convicted or acquitted, shall nevertheless be liable to indictment, trial, judgment, and punishment according to law.

Who may be impeached

SEC. 3. For any reasonable cause, to be entered on the journals of each house, which may or may not be sufficient grounds for impeachment, the chief justice and associate justices of the supreme court and judges of the district courts shall be removed from office on the vote of two-thirds of the members elected to each branch of the legislature, and the justices or judge complained of shall be served with a copy of the complaint against him, and shall have an opportunity of being heard in person, or by counsel, in his defense; *provided*, that no member of either branch of the legislature shall be eligible to fill the vacancy occasioned by such removal.

Judicial officers, how impeached

SEC. 4. Provision shall be made by law for the removal from office of any civil officer other than those in this article previously specified, for malfeasance or nonfeasance in the performance of his duties.

ARTICLE VIII

MUNICIPAL AND OTHER CORPORATIONS

SECTION 1. The legislature shall pass no special act in any matter relating to corporate powers except for municipal purposes; but corporations may be formed under general laws, and all such laws may, from time to time, be altered or repealed.

SEC. 2. All real property and possessory rights to the same, as well as personal property in this state, belonging to corporations now existing or hereafter created, shall be subject to taxation the same as property of individuals; *provided*, that the property of corporations formed for municipal, charitable, religious, or educational purposes may be exempted by law.

Property of corporations taxed

SEC. 3. Dues from corporations shall be secured by such means as may be prescribed by law; *provided*, that corporations in corporations formed under the laws of this state shall not be individually liable for the debts or liabilities of such corporation.

SEC. 4. Corporations created by or under the laws of the Territory of Nevada shall be subject to the provisions of such laws until the legislature shall pass laws regulating the same, in pursuance of the provisions of this constitution.

SEC. 5. Corporations may sue and be sued in all courts, in like manner as individuals.

SEC. 6. No bank-notes or paper of any kind shall ever be permitted to circulate as money in this state, except the fed-

Certain
paper money
interdicted

eral currency and the notes of banks authorized under the laws of congress.

SEC. 7. No right of way shall be appropriated to the use of any corporation until full compensation be first made or secured therefor.

Credit of
cities and
towns
limited

SEC. 8. The legislature shall provide for the organization of cities and towns by general laws, and restrict their power of taxation, assessment, borrowing money, contracting debts, and loaning their credit, except for procuring supplies of water.

State
forbidden to
speculate

SEC. 9. The state shall not donate or loan money or its credit, subscribe to or be interested in the stock of any company, association, or corporation, except corporations formed for educational or charitable purposes.

Limitation of
county
indebtedness

SEC. 10. No county, city, town, or other municipal corporation shall become a stockholder in any joint-stock company, corporation, or association whatever, or loan its credit in aid of any such company, corporation or association, except railroad corporations, companies, or associations.

ARTICLE IX

FINANCE AND STATE DEBT

SECTION 1. The fiscal year shall commence on the first day of January of each year.

SEC. 2. The legislature shall provide by law for an annual tax sufficient to defray the estimated expenses of the state for each fiscal year; and whenever the expenses of any year shall exceed the income, the legislature shall provide for levying a tax sufficient, with other sources of income, to pay the deficiency, as well as the estimated expenses of such ensuing year or two years.

State to
borrow,
limited

SEC. 3. For the purpose of enabling the state to transact its business upon a cash basis from its organization, the state may contract public debts; but such debts shall never, in the aggregate, exclusive of interest, exceed the sum of three hundred thousand dollars, except for the purpose of defraying extraordinary expenses, as hereinafter mentioned. Every such debt shall be authorized by law for some purpose or purposes, to be distinctly specified therein; and every such law shall provide for levying an annual tax sufficient to pay the interest semiannually, and the principal within twenty years from the passage of such law, and shall specially appropriate the proceeds of said taxes to the payment of said principal and interest; and such appropriation shall not be repealed, nor the taxes be postponed or diminished until the principal and interest of said debts shall have been wholly paid. Every contract of indebtedness entered into or assumed by, or on behalf of, the state, when all its debts and liabilities amount to said sum before mentioned, shall be void and of no effect, except in cases of money borrowed to repel invasion,

Limit raised,
when

suppress insurrection, defend the state in time of war, or, if hostilities be threatened, provide for the public defense.

SEC. 4. The state shall never assume the debts of any county, town, city, or other corporation whatever, unless such debts have been created to repel invasion, suppress insurrection, or to provide for the public defense.

ARTICLE X

TAXATION

SECTION 1. The legislature shall provide by law for a Taxation uniform and equal rate of assessment and taxation, and shall prescribe such regulations as shall secure a just valuation for taxation of all property, real, personal and possessory, except mines and mining claims, when not patented, the proceeds alone of which shall be assessed and taxed, and, when patented, each patented mine shall be assessed at not less than five hundred dollars (\$500), except when one hundred dollars (\$100) in labor has been actually performed on such patented mine during the year, in addition to the tax upon the net proceeds, and, also, excepting such property as may be exempted by law for municipal, educational, literary, scientific or other charitable purposes.

[As amended. Proposed and passed by the twenty-first session of the Nevada legislature, March 16, 1903, Statutes of 1903, page 240; passed and agreed to by the twenty-second session of the Nevada legislature, March 3, 1905, Statutes of 1905, page 277, and approved and ratified by the people at the general election of 1906.]

ARTICLE XI

EDUCATION

SECTION 1. The legislature shall encourage by all suitable means the promotion of intellectual, literary, scientific, mining, mechanical, agricultural and moral improvements, and also provide for the election by the people, at the general election, of a superintendent of public instruction, whose term of office shall be two years from the first Monday of January, A. D. eighteen hundred and sixty-five, and until the election and the qualification of his successor, and whose duties shall be prescribed by law. Education encouraged

SEC. 2. The legislature shall provide for a uniform system of common schools, by which a school shall be established and maintained in each school district at least six months in every year; and any school district neglecting to establish and maintain such a school, or which shall allow instructions of a sectarian character therein, may be deprived of its proportion of the interest of the public school fund during such neglect or infraction; and the legislature may pass such laws as will tend to secure a general attendance of the children in each school district upon said public schools. Public schools fostered

SEC. 3. All lands, including the sixteenth and thirty-sixth sections in any township donated for the benefit of public

Lands and
funds
dedicated to
support of

schools in the act of the thirty-eighth congress, to enable the people of Nevada Territory to form a state government, the thirty thousand acres of public lands granted by an act of congress, approved July second, A. D. eighteen hundred and sixty-two, for each senator and representative in congress, and all proceeds of lands that have been or may hereafter be granted or appropriated by the United States to this state, and also the five hundred thousand acres of land granted to the new states under the act of congress distributing the proceeds of the public lands among the several states of the Union, approved A. D. eighteen hundred and forty-one; *provided*, that congress make provision for or authorize such diversion to be made for the purpose herein contained; all estates that may escheat to the state; all of such per centum as may be granted by congress on the sale of lands; all fines collected under the penal laws of the state; all property given or bequeathed to the state for educational purposes, and all proceeds derived from any or all of said sources shall be and the same are hereby solemnly pledged for educational purposes, and shall not be transferred to any other fund for other uses; and the interest thereon shall, from time to time, be apportioned among the several counties as the legislature may provide by law; and the legislature shall provide for the sale of floating land warrants to cover the aforesaid lands, and for the investment of all proceeds derived from any of the above-mentioned sources, in United States bonds, or the bonds of this state, or the bonds of other states of the Union; *provided*, that the interest only of the aforesaid proceeds shall be used for educational purposes, and any surplus interest shall be added to the principal sum; and *provided further*, that such portions of said interest as may be necessary may be appropriated for the support of the state university.

[As amended. Proposed and passed at the twelfth session of the legislature, February 25, 1885, Statutes of 1885, page 160; agreed to and passed at the thirteenth session of the legislature, March 3, 1887, Statutes of 1887, page 168, and approved and ratified by the people at a special election held February 11, 1889.]

State
university

SEC. 4. The legislature shall provide for the establishment of a state university, which shall embrace departments for agriculture, mechanic arts and mining, to be controlled by a board of regents, whose duties shall be prescribed by law.

Normal
school

SEC. 5. The legislature shall have power to establish normal schools, and such different grades of schools, from the primary department to the university, as in their discretion they may deem necessary, and all professors in said university, or teachers in said schools, of whatever grade, shall be required to take and subscribe to the oath as prescribed in article XV of this constitution. No professor or teacher who fails to comply with the provisions of any law framed in accordance with the provisions of this section shall be entitled to receive any portion of the public moneys set apart for school purposes.

SEC. 6. The legislature shall provide a special tax, which shall not exceed two mills on the dollar of all taxable property in the state, in addition to the other means provided for the support and maintenance of said university and common schools.

Educational special tax

[As amended. Proposed and passed at the twelfth session of the legislature, February 25, 1885, Statutes of 1885, page 161; agreed to and passed at the thirteenth session, March 3, 1887, Statutes of 1887, page 168, and approved and ratified by the people at a special election held February 11, 1888.]

SEC. 7. The governor, secretary of state, and superintendent of public instruction shall, for the first four years, and until their successors are elected and qualified, constitute a board of regents, to control and manage the affairs of the university and the funds of the same, under such regulations as may be provided by law. But the legislature shall at its regular session next preceding the expiration of the term of office of said board of regents, provide for the election of a new board of regents, and define their duties.

Board of regents constituted

SEC. 8. The board of regents shall, from the interest accruing from the first funds which come under their control, immediately organize and maintain the said mining department in such manner as to make it most effective and useful; *provided*, that all the proceeds of the public lands donated by act of congress approved July second, A. D. eighteen hundred and sixty two, for a college for the benefit of agriculture, the mechanic arts, and including military tactics, shall be invested by the said board of regents in a separate fund, to be appropriated exclusively for the benefit of the first named departments to the university, as set forth in section four above; and the legislature shall provide that if, through neglect or any other contingency, any portion of the fund so set apart shall be lost or misappropriated, the State of Nevada shall replace said amount so lost or misappropriated in said fund, so that the principal of said fund shall remain forever undiminished.

Providing for organization of university

SEC. 9. No sectarian instruction shall be imparted or tolerated in any school or university that may be established under this constitution.

SEC. 10. No public funds of any kind or character whatever, state, county, or municipal, shall be used for sectarian purposes.

[Section 10 was added to article XI by amendment. Proposed and passed at the eight session of the legislature, January 27, 1877, Statutes of 1877, page 22; agreed to and passed at the first session of the legislature, January 27, 1878, Statutes of 1878, page 49, and approved and ratified by the people at the general election of 1880.]

ARTICLE XII

SCHOOLS

SECTION 1. The legislature shall provide for the support and maintenance of the common schools for the children of the State, under such regulations as may be provided by law, and shall provide for the support and maintenance of the public schools.

SEC. 2. The governor shall have power to call out the militia to execute the laws of the state, or to suppress insurrection or repel invasion.

ARTICLE XIII

PUBLIC INSTITUTIONS

SECTION 1. Institutions for the benefit of the insane, blind and deaf and dumb, and such other benevolent institutions as the public good may require, shall be fostered and supported by the state, subject to such relations as may be prescribed by law.

SEC. 2. A state prison shall be established and maintained in such manner as may be prescribed by law; and provision may be made by law for the establishment and maintenance of a house of refuge for juvenile offenders.

SEC. 3. The respective counties of the state shall provide, as may be prescribed by law, for those inhabitants who, by reason of age and infirmity, or misfortunes, may have claim upon the sympathy and aid of society.

ARTICLE XIV

BOUNDARY

SECTION 1. The boundary of the State of Nevada shall be as follows: Commencing at a point formed by the intersection of the thirty-eighth degree of longitude west from Washington with the thirty-seventh degree of north latitude; thence due west along said thirty-seventh degree of north latitude to the eastern boundary line of the State of California; thence in a northwesterly direction along said eastern boundary line of the State of California to the forty-third degree of longitude west from Washington; thence north along said forty-third degree of west longitude and said eastern boundary line of the State of California to the forty-second degree of north latitude; thence due east along the said forty-second degree of north latitude to a point formed by its intersection with the aforesaid thirty-eighth degree of longitude west from Washington; thence due south down said thirty-eighth degree of west longitude to the place of beginning. And whensoever congress shall authorize the addition to the Territory or State of Nevada of any portion of the territory on the easterly border of the foregoing defined limits, not exceeding in extent one degree of longitude, the same shall thereupon be embraced within and become a part of this state. *And furthermore provided*, that all such territory lying west of and adjoining the boundary line herein prescribed, which the State of California may relinquish to the Territory or State of Nevada, shall thereupon be embraced within and constitute a part of this state.

ARTICLE XV

MISCELLANEOUS PROVISIONS

SECTION 1. The seat of government shall be at Carson City, but no appropriation for the erection or purchase of capitol buildings shall be made during the next three years. Seat of Government

SEC. 2. Members of the legislature, and all officers, executive, judicial and ministerial, shall, before they enter upon the duties of their respective offices, take and subscribe to the following oath or affirmation: Official oath

"I,, do solemnly swear (or affirm) that I will support, protect and defend the constitution and government of the United States, and the constitution and government of the State of Nevada, against all enemies, whether domestic or foreign, and that I will bear true faith, allegiance, and loyalty to the same, any ordinance, resolution or law of any state convention or legislature to the contrary notwithstanding; and further, that I do this with a full determination, pledge and purpose, without any mental reservation or evasion whatsoever. And I do further solemnly swear (or affirm) that I have not fought a duel, nor sent or accepted a challenge to fight a duel, nor been a second to either party, nor in any manner aided or assisted in such duel; nor been knowingly the bearer of such challenge or acceptance, since the adoption of the constitution of the State of Nevada, and that I will not be so engaged or concerned, directly or indirectly, in or about any such duel during my continuance in office. And further that I will well and faithfully perform all the duties of the office of, on which I am about to enter; (If an oath) so help me God; (if an affirmation) under the pains and penalties of perjury."

SEC. 3. No person shall be eligible to any office who is not a qualified elector under this constitution. No person who, while a citizen of this state, has, since the adoption of this constitution, fought a duel with a deadly weapon, sent or accepted a challenge to fight a duel with a deadly weapon, either within or beyond the boundaries of this state, or who has acted as second, or knowingly conveyed a challenge, or aided or assisted in any manner in fighting a duel, shall be allowed to hold any office of honor, profit or trust, or enjoy the right of suffrage under this constitution. The legislature shall provide by law for giving force and effect to the foregoing provisions of this section; *provided*, that females over the age of twenty-one years, who have resided in this state one year, and in the county or district six months next preceding any election to fill either of said offices, shall be eligible to the offices of superintendent of public schools and school trustee. Who eligible to office

[As amended. Proposed and passed at the thirteenth session of the legislature, March 3, 1887. Statutes of 1887, page 162; agreed to and passed at the fourteenth session of the legislature, January 17, 1889.

Statutes of 1889, page 151, and approved and ratified by the people at a special election held February 11, 1889.]

Perpetuities SEC. 4. No perpetuities shall be allowed except for eleemosynary purposes.

SEC. 5. The general election shall be held on the Tuesday next after the first Monday of November.

Legislature limited SEC. 6. The aggregate number of members of both branches of the legislature shall never exceed seventy-five.

SEC. 7. All county officers shall hold their offices at the county-seat of their respective counties.

Publication of statutes and reports SEC. 8. The legislature shall provide for the speedy publication of all statute laws of a general nature, and such decisions of the supreme court as it may deem expedient: and all laws and judicial decisions shall be free for publication by any person; *provided*, that no judgment of the supreme court shall take effect and be operative until the opinion of the court in such case shall be filed with the clerk of said court.

Salaries may be increased or diminished SEC. 9. The legislature may, at any time, provide by law for increasing or diminishing the salaries or compensation of any of the officers whose salaries or compensation is fixed in this constitution; *provided*, no such change of salary or compensation shall apply to any officer during the term for which he may have been elected.

SEC. 10. All officers whose election or appointment is not otherwise provided for shall be chosen or appointed as may be prescribed by law.

Tenure of office limited SEC. 11. The tenure of any office not herein provided for may be declared by law, or, when not so declared, such office shall be held during the pleasure of the authority making the appointment, but the legislature shall not create any office the tenure of which shall be longer than four years, except as herein otherwise provided in this constitution.

Office at capital SEC. 12. The governor, secretary of state, state treasurer, state controller, and clerk of the supreme court shall keep their respective offices at the seat of government.

Census taken, when SEC. 13. The enumeration of the inhabitants of this state shall be taken, under the direction of the legislature, if deemed necessary, in A. D. eighteen hundred and sixty-five, A. D. eighteen hundred and sixty-seven, A. D. eighteen hundred and seventy-five, and every ten years thereafter; and these enumerations, together with the census that may be taken under the direction of the congress of the United States in A. D. eighteen hundred and seventy, and every subsequent ten years, shall serve as the basis of representation in both houses of the legislature.

Plurality a choice SEC. 14. A plurality of votes given at an election by the people shall constitute a choice, where not otherwise provided by this constitution.

ARTICLE XVI

AMENDMENTS

SECTION 1. Any amendment or amendments to this constitution may be proposed in the senate or assembly; and if the same shall be agreed to by a majority of all the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their respective journals, with the yeas and nays taken thereon, and referred to the legislature then next to be chosen, and shall be published for three months next preceding the time of making such choice. And if, in the legislature next chosen as aforesaid, such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each house, then it shall be the duty of the legislature to submit such proposed amendment or amendments to the people in such manner and at such time as the legislature shall prescribe; and if the people shall approve and ratify such amendment or amendments by a majority of the electors qualified to vote for members of the legislature voting thereon, such amendment or amendments shall become a part of the constitution.

Constitution
amended,
how

SEC. 2. If at any time the legislature, by a vote of two-thirds of the members elected to each house, shall determine that it is necessary to cause a revision of this entire constitution, they shall recommend to the electors, at the next election for members of the legislature, to vote for or against a convention, and if it shall appear that a majority of the electors voting at such election shall have voted in favor of calling a convention, the legislature shall, at its next session, provide by law for calling a convention to be holden within six months after the passage of such law; and such convention shall consist of a number of members not less than that of both branches of the legislature. In determining what is a majority of the electors voting at such election, reference shall be had to the highest number of votes cast at such election for the candidates for any office or on any question.

ARTICLE XVII

SCHEDULE

SECTION 1. That no inconvenience may arise by reason of a change from a territorial to a permanent state government, it is declared that all rights, actions, prosecutions, judgments, claims and contracts, as well of individuals as of bodies corporate, including counties, towns and cities, shall continue as if no change had taken place; and all process which may issue under the authority of the Territory of Nevada, previous to its admission into the Union as one of the United States, shall be as valid as if issued in the name of the State of Nevada.

Acts of
territory
made valid

SEC. 2. All laws of the Territory of Nevada, in force at the time of the admission of this state, not repugnant to this

Acts of
territory
made valid

constitution, shall remain in force until they expire by their own limitations, or be altered or repealed by the legislature.

SEC. 3. All fines, penalties and forfeitures accruing to the Territory of Nevada, or to the people of the United States in the Territory of Nevada, shall inure to the State of Nevada.

Prosecutions
in name of
state

SEC. 4. All recognizances heretofore taken, or which may be taken before the change from a territorial to a state government, shall remain valid, and shall pass to, and may be prosecuted in the name of the state, and all bonds executed to the governor of the territory, or to any other officer or court in his or their official capacity, or to the people of the United States in the Territory of Nevada, shall pass to the governor, or other officer, or court, and his or their successors in office, for the uses therein respectively expressed, and may be sued on, and recovery had accordingly; and all property, real, personal or mixed, and all judgments, bonds, specialties, choses in action, claims, and debts of whatsoever description, and all records and public archives of the Territory of Nevada, shall issue to and vest in the State of Nevada, and may be sued for and recovered in the same manner and to the same extent by the State of Nevada, as the same could have been by the Territory of Nevada. All criminal prosecutions and penal actions, which may have arisen, or which may arise before the change from a territorial to a state government, and which shall then be pending, shall be prosecuted to judgment and execution in the name of the state. All offenses committed against the laws of the Territory of Nevada, before the change from a territorial to a state government, and which shall not be prosecuted before such change, may be prosecuted in the name and by the authority of the State of Nevada with like effect as though such change had not taken place; and all penalties incurred shall remain the same as if this constitution had not been adopted. All actions at law and suits in equity, and other legal proceedings, which may be pending in any of the courts of the Territory of Nevada at the time of the change from a territorial to a state government, may be continued and transferred to and determined by any court of the state which shall have jurisdiction of the subject-matter thereof. All actions at law and suits in equity, and all other legal proceedings, which may be pending in any of the courts of the Territory of Nevada at the time of the change from a territorial to a state government, shall be continued and transferred to, and may be prosecuted to judgment and execution, in any court of the state, which shall have jurisdiction of the subject-matter thereof; and all books, papers and records relating to the same shall be transferred in like manner to such court.

Civil actions
determined
by state
courts

SEC. 5. For the first term of office succeeding the formation of a state government, the salary of the governor shall be four thousand dollars per annum; the salary of the secretary of state shall be three thousand six hundred dollars per

annum; the salary of the state controller shall be three thousand six hundred dollars per annum; the salary of the state treasurer shall be three thousand six hundred dollars per annum; the salary of the surveyor-general shall be one thousand dollars per annum; the salary of the attorney-general shall be two thousand five hundred dollars per annum; the salary of the superintendent of public instruction shall be two thousand dollars per annum; the salary of each judge of the supreme court shall be seven thousand dollars per annum. The salaries of the foregoing officers shall be paid quarterly, out of the state treasury. The pay of state senators and members of assembly shall be eight dollars per day, for each day of actual service, and forty cents per mile for mileage going to and returning from the place of meeting. No officer mentioned in this section shall receive any fee or perquisites to his own use for the performance of any duty connected with his office, or for the performance of any additional duty imposed upon him by law.

Salaries of
state officers

SEC. 6. Until otherwise provided by law, the apportionment of senators and assemblymen in the different counties shall be as follows, to wit: Storey County, four senators and twelve assemblymen; Douglas County, one senator and two assemblymen; Esmeralda County, two senators and four assemblymen; Humboldt County, two senators and three assemblymen; Lander County, two senators and four assemblymen; Lyon County, one senator and three assemblymen; Lyon and Churchill Counties, one senator jointly; Churchill County, one assemblyman; Nye County, one senator and one assemblyman; Ormsby County, two senators and three assemblymen; Washoe and Roop Counties, two senators and three assemblymen.

Apportionment of
legislators

SEC. 7. All debts and liabilities of the Territory of Nevada, lawfully incurred, and which remain unpaid at the time of the admission of this state into the Union, shall be assumed by and become the debt of the State of Nevada; *provided*, that the assumption of such indebtedness shall not prevent the state from contracting the additional indebtedness, as provided in section three of article IX of this constitution.

Territorial
debt
assumed by
state

[Section 8 to 26, inclusive, are now only historical.]

SEC. 8. The term of state officers (except judicial) elected at the first election under this constitution, shall continue until the Tuesday after the first Monday of January, A. D. eighteen hundred and sixty-seven, and until the election and qualification of their successors.

SEC. 9. The senators to be elected at the first election under this constitution shall draw lots, so that the term of one-half of the number, as nearly as may be, shall expire on the day succeeding the general election in A. D. eighteen hundred and sixty-six, and the term of the other half shall expire on the day succeeding the general election in A. D. eighteen hundred and sixty-eight; *provided*, that in drawing

Obsolete,
historical
only

lots for all senatorial terms, the senatorial representation shall be allotted so that in the counties having two or more senators, the terms thereof shall be divided, as nearly as may be, between the long and short terms.

SEC. 10. At the general election in A. D. eighteen hundred and sixty-six, and thereafter, the term of senators shall be four years from the day succeeding such general election, and members of the assembly for two years from the day succeeding such general election, and the terms of senators shall be allotted by the legislature in long and short terms, as hereinbefore provided, so that one half of the number, as nearly as may be, shall be elected every two years.

SEC. 11. The term of the members of the assembly elected at the first general election under this constitution shall expire on the day succeeding the general election in A. D. eighteen hundred and sixty-five; and the terms of those elected at the general election in A. D. eighteen hundred and sixty-five shall expire on the day succeeding the general election in A. D. eighteen hundred and sixty-six.

SEC. 12. The first regular session of the legislature shall commence on the second Monday of December, A. D. eighteen hundred and sixty-four, and the second regular session of the same shall commence on the first Monday of January, A. D. eighteen hundred and sixty-six, and the third regular session of the legislature shall be the first of the biennial sessions, and shall commence on the first Monday of January, A. D. eighteen hundred and sixty-seven; and the regular sessions of the legislature shall be held thereafter biennially, commencing on the first Monday of January.

[Section 12 superseded by section 2, article IV.]

SEC. 13. All county officers under the laws of the Territory of Nevada at the time when the constitution shall take effect, whose offices are not inconsistent with the provisions of this constitution, shall continue in office until the first Monday of January, A. D. eighteen hundred and sixty-seven, and until their successors are elected and qualified; and all township officers shall continue in office until the expiration of their terms of office, and until their successors are elected and qualified; *provided*, that the probate judges of the several counties, respectively, shall continue in office until the election and qualification of the district judges of the several counties or judicial districts; *and provided further*, that the term of office of the present county officers of Lander County shall expire on the first Monday of January, A. D. eighteen hundred and sixty-five, except the probate judge of said county, whose term of office shall expire upon the first Monday of December, A. D. eighteen hundred and sixty-four, and there shall be an election for county officers of Lander County at the general election in November, A. D. eighteen hundred and sixty-four, and the officers then elected shall hold office from the first Monday of January, A. D. eighteen hundred

and sixty-five, until the first Monday of January, A. D. eighteen hundred and sixty-seven, and until their successors are elected and qualified. Obsolete, historical only

SEC. 14. The governor, secretary, treasurer, and superintendent of public instruction of the Territory of Nevada shall each continue to discharge the duties of their respective offices after the admission of this state into the Union, and until the time designated for the qualification of the above-named officers to be elected under the state government; and the territorial auditor shall continue to discharge the duties of his said office until the time appointed for the qualification of the state controller; *provided*, that the said officers shall each receive the salaries, and be subject to the restrictions and conditions provided in this constitution; *and provided further*, that none of them shall receive to his own use any fees or perquisites for the performance of any duty connected with his office.

SEC. 15. The terms of the supreme court shall, until provision be made by law, be held at such times as the judges of the said court, or a majority of them, may appoint. The first terms of the several district courts (except as hereinafter mentioned) shall commence on the first Monday of December, A. D. eighteen hundred and sixty-four. The first term of the district court in the fifth judicial district shall commence on the first Monday of December, A. D. eighteen hundred and sixty-four, in the county of Nye, and shall commence on the first Monday of January, A. D. eighteen hundred and sixty-five, in the county of Churchill. The terms of the fourth judicial district court shall, until otherwise provided by law, be held at the county-seat of Washoe County, and the first term thereof commence on the first Monday of December, A. D. eighteen hundred and sixty-four.

SEC. 16. The judges of the several district courts of this state shall be paid, as hereinbefore provided, salaries at the following rates per annum: First judicial district (each judge), six thousand dollars; second judicial district, four thousand dollars; third judicial district, five thousand dollars; fourth judicial district, five thousand dollars; fifth judicial district, thirty-six hundred dollars; sixth judicial district, four thousand dollars; seventh judicial district, six thousand dollars; eighth judicial district, thirty-six hundred dollars; ninth judicial district, five thousand dollars.

SEC. 17. The salary of any judge in said judicial districts may, by law, be altered or changed, subject to the provisions contained in this constitution.

SEC. 18. The governor, lieutenant-governor, secretary of state, state treasurer, state controller, attorney-general, surveyor-general, clerk of the supreme court, and superintendent of public instruction, to be elected at the first election under this constitution, shall each qualify and enter upon the duties of their respective offices on the first Monday of

Obsolete,
historical
only

December succeeding their election, and shall continue in office until the first Tuesday after the first Monday of January, A. D. eighteen hundred and sixty-seven, and until the election and qualification of their successors respectively.

SEC. 19. The judges of the supreme court and district judges to be elected at the first election under this constitution shall qualify and enter upon the duties of their respective offices on the first Monday of December succeeding their election.

SEC. 20. All officers of state, and district judges first elected under this constitution shall be commissioned by the governor of this territory, which commission shall be countersigned by the secretary of the same, and shall qualify, before entering upon the discharge of their duties, before any officer authorized to administer oaths under the laws of this territory; and also the state controller and state treasurer shall each respectively, before they qualify and enter upon the discharge of their duties, execute and deliver to the secretary of the Territory of Nevada an official bond, made payable to the people of the State of Nevada, in the sum of thirty thousand dollars, to be approved by the governor of the Territory of Nevada, and shall also execute and deliver to the secretary of state such other or further official bond or bonds as may be required by law.

SEC. 21. Each county, town, city, and incorporated village shall make provision for the support of its own officers subject to such regulations as may be prescribed by law.

SEC. 22. In case the office of any justice of the supreme court, district judge, or other state officer shall become vacant before the expiration of the regular term for which he was elected, the vacancy may be filled by appointment by the governor, until it shall be supplied at the next general election, when it shall be filled by election for the residue of the unexpired term.

SEC. 23. All cases, both civil and criminal, which may be pending and undetermined in the probate courts of the several counties at the time when, under the provisions of this constitution, said probate courts are to be abolished, shall be transferred to and determined by the district courts of such counties respectively.

SEC. 24. For the first three years after the adoption of this constitution, the legislature shall not levy a tax for state purposes exceeding one per cent per annum on the taxable property in the state; *provided*, the legislature may levy a special tax, not exceeding one-fourth of one per cent per annum, which shall be appropriated to the payment of the indebtedness of the Territory of Nevada assumed by the State of Nevada, and for that purpose only, until all of said indebtedness is paid.

SEC. 25. The county of Roop shall be attached to the

county of Washoe for judicial, legislative, revenue and county purposes until otherwise provided by law. Obsolete.
historical
only

SEC. 26. At the first regular session of the legislature to convene under the requirements of this constitution, provision shall be made by law for paying for the publication of six hundred copies of the debates and proceedings of this convention in book form, to be disposed of as the legislature may direct; and the Hon. J. Neely Johnson, president of this convention, shall contract for, and A. J. Marsh, official reporter of this convention, under the direction of the president, shall supervise the publication of such debates and proceedings. Provision shall be made by law at such first session of the legislature for the compensation of the official reporter of this convention, and he shall be paid in coin or its equivalent. He shall receive, for his services in reporting the debates and proceedings, fifteen dollars per day during the session of the convention, and seven and one-half dollars additional for each evening session, and thirty cents per folio of one hundred words for preparing the same for publication; and for supervising and indexing such publication the sum of fifteen dollars per day during the time actually engaged in such service.

ARTICLE XVIII

RIGHT OF SUFFRAGE

SECTION 1. The rights of suffrage and office-holding shall not be withheld from any male citizen of the United States by reason of his color or previous condition of servitude. Right of
suffrage
not to be
withheld

[Article XVIII was proposed and passed at the eighth session of the legislature, January 15, 1877. Statutes of 1877, page 213; agreed to and passed at the ninth session of the legislature, January 27, 1879. Statutes of 1879, page 149, and approved and ratified by the people at the general election of 1880.]

ARTICLE XIX

INITIATIVE AND REFERENDUM

SECTION 1. Whenever ten per centum or more of the voters of this state, as shown by the number of votes cast at the last preceding general election, shall express their wish that any law or resolution made by the legislature be submitted to a vote of the people, the officers charged with the duty of announcing and proclaiming elections, and of certifying nominations, or questions to be voted on, shall submit the question of the approval or disapproval of said law or resolution to be voted on at the next ensuing election wherein a state or congressional officer is to be voted for, or wherein any question may be voted on by the electors of the entire state. Law to be
submitted to
people for
approval or
disapproval
on petition
of 10 per cent
of voters

SEC. 2. When a majority of the electors voting at a state election shall by their votes signify approval of a law or resolution, such law or resolution shall stand as the law of

Majority
vote to
approve or
disapprove

the state, and shall not be overruled, annulled, set aside, suspended, or in any way made inoperative except by the direct vote of the people. When such majority shall so signify disapproval the law or resolution so disapproved shall be void and of no effect.

[Article XIX was proposed and passed at the twentieth session of the legislature, March 15, 1901, Statutes of 1901, page 139; agreed to and passed at the twenty-first session of the legislature, March 3, 1903, and approved and ratified by the people at the general election of 1904.]

ELECTION ORDINANCE

WHEREAS, The enabling act passed by congress and approved March twenty-first, A. D. eighteen hundred and sixty-four, requires that the convention charged with the duty of framing a constitution for a state government "shall provide by ordinance for submitting said constitution to the people of the Territory of Nevada for their ratification or rejection," on a certain day prescribed therein; therefore this convention, organized in pursuance of said enabling act, do establish the following

ORDINANCE

Obsolete
historical
only

¹ SECTION 1. The governor of the Territory of Nevada is hereby authorized to issue his proclamation for the submission of the constitution to the people of said territory, for their approval or rejection, on the day provided for such submission by act of congress; and this constitution shall be submitted to the qualified electors of said territory, in the several counties thereof, for their approval or rejection, at the time provided by such act of congress; and further, on the first Tuesday after the first Monday of November, A. D. eighteen hundred and sixty-four, there shall be a general election in the several counties of said territory for the election of state officers, supreme and district judges, members of the legislature, representative in congress, and three presidential electors.

SEC. 2. All persons qualified by the laws of said territory to vote for representatives to the general assembly on the said twenty-first day of March, including those in the army of the United States, both within and beyond the boundaries of said territory, and also all persons who may, by the aforesaid laws, be qualified to vote on the first Wednesday of September, A. D. eighteen hundred and sixty-four, including those in the aforesaid army of the United States, within and without the boundaries of said territory, may vote for the adoption or rejection of said constitution, on the day last above named. In voting upon this constitution each elector shall deposit in the ballot box a ticket, whereon shall be clearly written or printed "Constitution—Yes" or "Constitution—

¹ This ordinance is now only historical.

No." or such other words as shall clearly indicate the intention of the elector.

Obsolete,
historical
only

SEC. 3. All persons qualified by the laws of said territory to vote on the Tuesday after the first Monday of November, A. D. eighteen hundred and sixty-four, including those in the army of the United States, within and beyond the boundaries of said territory, may vote on the day last above named for state officers, supreme and district judges, members of the legislature, representative in congress and three presidential electors to the electoral college.

SEC. 4. The elections provided in this ordinance shall be holden at such places as shall be designated by the boards of commissioners of the several counties in said territory. The judges and inspectors of said elections shall be appointed by said commissioners, and the said elections shall be conducted in conformity with the existing laws of said territory in relation to holding the general election.

SEC. 5. The judges and inspectors of said elections shall carefully count each ballot immediately after said elections and forthwith make duplicate returns thereof to the clerks of the said county commissioners of their respective counties: and said clerks, within fifteen days after said election, shall transmit an abstract of the votes, including the soldiers' vote as herein provided, given for state officers, supreme and district judges, representative in congress and three presidential electors, enclosed in an envelope, by the most safe and expeditious conveyance, to the governor of said territory, marked "Election Returns."

SEC. 6. Upon the receipt of said returns, including those of the soldiers' vote, or within twenty days after the election, if said returns be not sooner received, it shall be the duty of the board of canvassers, to consist of the governor, United States district attorney, and chief justice of said territory, or any two of them, to canvass the returns in the presence of all who may wish to be present, and if a majority of all the votes given upon this constitution shall be in its favor, the said governor shall immediately publish an abstract of the same, and make proclamation of the fact in some newspaper in said territory, and certify the same to the president of the United States, together with a copy of the constitution and ordinance. The said board of canvassers, after canvassing the votes of the said November elections, shall issue certificates of election to such persons as were elected state officers, judges of the supreme and district courts, representative in congress and three presidential electors. When the president of the United States shall issue his proclamation declaring this state admitted into the Union on an equal footing with the original states, this constitution shall thenceforth be ordained and established as the constitution of the State of Nevada.

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SEC. 7. For the purpose of taking the vote of the electors of said territory who may be in the army of the United States, the adjutant-general of said territory shall, on or before the fifth day of August next following, make out a list in alphabetical order, and deliver the same to the governor, of the names of all the electors, residents of said territory, who shall be in the army of the United States, stating the number of the regiment, battalion, squadron, or battery to which he belongs, and also the county and township of his residence in said territory.

SEC. 8. The governor shall classify and arrange the aforesaid returned list, and shall make therefrom separate lists of the electors belonging to each regiment, battalion, squadron, and battery from said territory, in the service of the United States, and shall, on or before the fifteenth day of August following, transmit, by mail or otherwise, to the commanding officer of each regiment, battalion, squadron and battery a list of electors belonging thereto, which said list shall specify the name, residence and rank of each elector, and the company to which he belongs, if to any, and also the county and township to which he belongs, and in which he is entitled to vote.

SEC. 9. Between the hours of nine o'clock a. m. and three o'clock p. m., on each of the election days hereinbefore named, a ballot box or suitable receptacle for votes shall be opened, under the immediate charge and direction of three of the highest officers in command, for the reception of votes from the electors whose names are upon said list, at each place where a regiment, battalion, squadron, or battery of soldiers from said territory, in the army of the United States, may be on that day, at which time and place said elector shall be entitled to vote for all officers for which, by reason of their residence in the several counties of said territory, they are authorized to vote, as fully as they would be entitled to vote in the several counties or townships in which they reside, and the votes so given by such electors, at such time and place, shall be considered, taken and held to have been given by them in the respective counties and townships in which they are resident.

SEC. 10. Each ballot deposited for the adoption or rejection of this constitution, in the army of the United States, shall have distinctly written or printed thereon "Constitution—Yes," or "Constitution—No," or words of a similar import; and further, for the election of state officers, supreme and district judges, members of the legislature, representative in congress, and three presidential electors, the name and office of the person voted for shall be plainly written or printed on one piece of paper. The name of each elector voting as aforesaid shall be checked upon said list, at the time of voting, by one of the said officers having charge of the ballot box. The said officers having charge of the election shall

count the votes and compare them with the checked lists immediately after the closing of the ballot box. Obsolete,
historical
only

SEC. 11. All the ballots cast, together with the said voting list, checked as aforesaid, shall be immediately sealed up and sent forthwith to the governor of said territory at Carson City, by mail or otherwise, by the commanding officer, who shall make out and certify duplicate returns of votes given, according to the forms hereinafter prescribed, seal up and immediately transmit the same to the governor, at Carson City, by mail or otherwise, the day following the transmission of the ballots and the voting list herein named. The said commanding officer shall also immediately transmit to the several county clerks in said territory, an abstract of the votes given at the general election in November, for county officers, marked "Election Returns."

SEC. 12. The forms of returns of votes to be made by the commanding officer to the governor and county clerks of said territory shall be in substance as follows, viz.:

Returns of soldiers' votes in the (here insert the regiment, detachment, battalion, squadron, or battery).

(For first election—On the constitution.)

I,, hereby certify that on the first Wednesday of September, A. D. eighteen hundred and sixty-four, the electors belonging to the (here insert the name of the regiment, detachment, battalion, squadron, or battery) cast the following number of votes for and against the constitution for the State of Nevada, viz.:

For constitution—(number of votes written in full and in figures).

Against constitution—(number of votes written in full and in figures).

(Second election—For state and other officers.)

I,, hereby certify, that on the first Tuesday after the first Monday in November, A. D. eighteen hundred and sixty-four, the electors belonging to the (here insert as above) cast the following number of votes for the several officers and persons hereinafter named, viz.:

For governor—(names of persons voted for, number of votes for each person voted for, written in full, and also in figures, against the name of each person).

For lieutenant-governor—(names of candidates, number of votes cast for each written out and in figures as above).

Continue as above until the list is completed.

Attest:

I. A. B.

Commanding officer of the (here insert regiment, detachment, battalion, squadron, or battery, as the case may be).

SEC. 13. The governor of this territory is requested to furnish each commanding officer, within and beyond the boundaries of said territory, proper and sufficient blanks for said returns.

SEC. 14. The provisions of this ordinance in regard to the

soldiers' vote shall apply to future elections under this constitution, and be in full force until the legislature shall provide by law for taking the votes of citizens of said territory in the army of the United States.

Done in convention, at Carson City, the twenty-eighth day of July, in the year of our Lord one thousand eight hundred and sixty-four, and of the independence of the United States the eighty-ninth, and signed by the delegates.

J. NEELY JOHNSON,

President of the Convention and Delegate from Ormsby County.

WM. M. GILLESPIE, Secretary.

List of
delegates to
constitu-
tional
convention

Henry B. Brady.....	Delegate from Washoe County
E. F. Dunne.....	Delegate from Humboldt County
J. G. McClinton.....	Delegate from Esmeralda County
G. N. Folsom.....	Delegate from Washoe County
F. H. Kennedy.....	Delegate from Lyon County
W. W. Belden.....	Delegate from Washoe County
F. M. Proctor.....	Delegate from Nye County
Albert T. Hawley.....	Delegate from Douglas County
Geo. L. Gibson.....	Delegate from Ormsby County
F. Tagliabue.....	Delegate from Nye County
Wm. Wetherill.....	Delegate from Esmeralda County
John A. Collins.....	Delegate from Storey County
Jas. A. Banks.....	Delegate from Humboldt County
J. S. Crosman.....	Delegate from Lyon County
Saml. A. Chapin.....	Delegate from Storey County
C. M. Brosnan.....	Delegate from Storey County
John H. Kinkead.....	Delegate from Ormsby County
Geo. A. Hudson.....	Delegate from Lyon County
Israel Crawford.....	Delegate from Ormsby County
A. J. Lockwood.....	Delegate from Ormsby County
H. G. Parker.....	Delegate from Lyon County
J. H. Warwick.....	Delegate from Lander County
C. E. DeLong.....	Delegate from Storey County
Lloyd Frizell.....	Delegate from Storey County
Geo. A. Nourse.....	Delegate from Washoe County
R. S. Mason.....	Delegate from Esmeralda County
Almon Hovey.....	Delegate from Storey County
Thomas Fitch.....	Delegate from Storey County
J. W. Haines.....	Delegate from Douglas County

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CERTIFICATE

STATE OF NEVADA,
DEPARTMENT OF STATE. } ss.

I, George Brodigan, the duly elected, qualified and acting Secretary of State of the State of Nevada, do hereby certify that the foregoing is a true, full and correct copy of the existing Constitution of the State of Nevada, as the same appears in the enrolled acts in my office.

++-----++
| SEAL |
++-----++

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of State, at my office in Carson City, Nevada, this 20th day of April, 1911.

GEORGE BRODIGAN,
Secretary of State.



STATE OF NEVADA

ANNUAL REPORT

OF THE

STATE TREASURER

1909

D. M. RYAN, State Treasurer



CARSON CITY, NEVADA

STATE PRINTING OFFICE : : : J. G. MCCARTHY, SUPERINTENDENT

1910



STATE TREASURER'S REPORT FOR 1909

OFFICE OF THE STATE TREASURER,
CARSON CITY, NEVADA, December 31, 1910.

To HON. D. S. DICKERSON, *Lieutenant and Acting Governor of Nevada.*

DEAR SIR: In compliance with law I herewith transmit my annual report showing the financial transactions of the State during the year 1909.

Yours, very respectfully,

D. M. RYAN,
State Treasurer.

REPORT OF STATE TREASURER

EXHIBIT A
Apportionment of cash in Treasury, January 1, 1909

Date	Apportioned to	Totals	Total
1909	Balance in Treasury, January 1, 1909		\$802,441.26
Jan. 1	<i>Apportioned as follows:</i>		
	General Fund	\$480,565.29	
	State School Fund	33,255.23	
	General School Fund	143,718.54	
	State Interest and Sinking Fund	19,624.89	
	Territorial Interest and Sinking Fund	34,511.76	
	University Interest and Sinking Fund	3,825.87	
	Contingent University Interest and Sinking Fund, No. 1, 1905	1,208.19	
	Contingent University Interest and Sinking Fund, No. 2, 1905	3,859.44	
	State University Fund	970.37	
	Interest Account, 90,000-Acre Grant	175.47	
	Orphans' Home Fund	1,386.63	
	State Prison Fund	1,153.95	
	Indigent Insane Fund	4,253.48	
	State Library Fund	26,804.96	
	Judicial Salary Fund	1,125.00	
	Contingent University Fund	19,360.12	
	Contingent University Fund, Laboratory bonds	2,218.83	
	Contingent University Fund, Hospital bonds	1,736.26	
	University Fund, 90,000-Acre Grant	10,397.73	
	Orphans' Home Interest and Sinking Fund	4,678.07	
	District Judges' Salary Fund	3,036.96	
	Metallurgical Equipment Fund	366.73	
	Metallurgical Building Fund	18.14	
	Dining Hall Fund, State University	23.00	
	Sheep Inspection Fund	388.90	
	Deputy Superintendents' Salary Fund	1,537.90	
			\$802,441.26

REPORT OF STATE TREASURER

EXHIBIT B Showing receipts for the year 1909

Date	Sources of revenue	Appropriated to	Amount	Total
Dec. 31.	Insurance licenses	General Fund	\$10,356.31	
	Attorneys' licenses	General Fund	1,050.00	
	Liquor licenses	General Fund	60,753.89	
	Sale of statutes	General Fund	706.50	
	Clerk of Supreme Court, fees	General Fund	1,067.70	
	Miscellaneous receipts	General Fund	770.00	
	Bank licenses	General Fund	4,567.75	
	Optical licenses	General Fund	10.00	
	Water applications	General Fund	3,637.15	
				\$82,919.30
	Sale of State school land	State School Fund	\$185,291.07	
	Interest on United States 4 per cent bonds	State School Fund	2,150.00	
	Interest on Massachusetts 3 and 3½ per cent bonds	State School Fund	350.00	
	Interest on Idaho 4 per cent bonds	State School Fund	341.16	
	Five per cent commission on sale of public lands	State School Fund	2,614.17	
	Redemption of Nevada 4 per cent bonds	State School Fund	34,000.00	
	Miscellaneous receipts	State School Fund	325.23	
				225,071.63
	Interest on deferred land payments on school land	General School Fund	\$76,440.12	
	Interest on United States 4 per cent bonds	General School Fund	6,429.15	
	Interest on Nevada 4 and 5 per cent bonds	General School Fund	23,770.00	
	Interest on Massachusetts 3 and 3½ per cent bonds	General School Fund	31,105.25	
	Interest on Idaho 4 per cent bonds	General School Fund	1,115.19	
				138,859.71
	Interest on Nevada 4 and 5 per cent bonds	Contingent University Fund	\$560.00	
	Interest on Massachusetts 3 and 3½ per cent bonds	Contingent University Fund	1,044.00	
	Interest on University land	Contingent University Fund	488.46	
				2,092.46
	Sale of University land	State University Fund	\$800.48	
	Sale of land, 90,000-Acre Grant	University Fund, 90,000-Acre Grant	14,000.00	
	Redemption of Nevada 4 per cent bonds	University Fund, 90,000-Acre Grant		14,800.48
	Interest on deferred land payments, 90,000-Acre Grant	Interest Account, 90,000-Acre Grant	\$806.95	
	Interest on Nevada 4 per cent bonds	Interest Account, 90,000-Acre Grant	760.00	
	Interest on Massachusetts 3 and 3½ per cent bonds	Interest Account, 90,000-Acre Grant	2,279.05	
				3,848.00
				\$408,105.03

Carried forward

REPORT OF STATE TREASURER

Receipts—Continued

Date	Sources of revenue	Apportioned to	Amount	Total
1909	Brought forward			\$468,105.03
Dec. 31.	Attorneys' licenses	State Library Fund	\$430.00	
	Secretary of State, fees	State Library Fund	44,038.55	
	Sale of Nevada Supreme Court Reports	State Library Fund	953.75	
	Docket tax, Supreme Court	Judicial Salary Fund		45,422.30
	Insane Asylum, receipts	Indigent Insane Fund		210.00
	Orphans' Home, receipts	Orphans' Home Fund		855.00
	State Prison, receipts	State Prison Fund		2,955.20
	Sheep taxes	Sheep Inspection Fund		538.50
	County payments to District Judges' Salary Fund	District Judges' Salary Fund		7,600.84
	County payments to Deputy Superintendents' Salary Fund	Deputy Superintendents' Salary Fund		42,357.74
	County settlements	General Fund	\$336,250.48	7,396.40
		State School Fund	9,483.70	
		General School Fund	49,002.49	
		State Interest and Sinking Fund	31,840.87	
		Territorial Interest and Sinking Fund	21,600.96	
		State University Interest and Sinking Fund	2,124.74	
		Contingent University Fund	31,575.20	
		Orphans' Home Interest and Sinking Fund	6,315.29	
		Contingent University Interest and Sinking Fund, No. 1	631.39	
		Contingent University Interest and Sinking Fund, No. 2	1,894.57	
		State Prison Interest and Sinking Fund	10,977.45	
		Sheep Inspection Fund	3,523.20	
		Contingent University Fund, Laboratory bonds	1,327.88	
		Contingent University Fund, Hospital bonds	531.18	
	Less balance in fund, December 31, 1908		\$507,089.40	506,813.73
			286.67	
	Total receipts			\$1,082,254.74

EXHIBIT C
Showing disbursements for the year 1909

Date	Paid from	Paid for	Amount	Total
1909				
Dec. 31.	General Fund	Salary of Lieutenant and Acting Governor	\$4,000.00	
		Salary of Secretary of State	2,400.00	
		Salary of State Controller	2,400.00	
		Salary of State Treasurer	2,400.00	
		Salary of Governor's Private Secretary	2,277.45	
		Salary of Deputy Secretary of State	2,273.15	
		Salary of Deputy State Controller	2,000.00	
		Salary of Deputy State Treasurer	1,833.35	
		Salary of Deputy Surveyor-General	1,666.70	
		Salary of Attorney-General	2,000.00	
		Salary of Superintendent of State Printing	2,833.85	
		Salary of Supreme Court Reporter	600.00	
		Salary of Mineral Land Commissioner	2,500.00	
		Salary of Chairman of Publicity Commission	2,500.00	
		Salary of Library Clerk	1,407.30	
		Salary of Draughtsman	2,000.00	
		Salary of Typist, Land Office	1,200.00	
		Salary of Janitor	1,300.00	
		Salary of Clerk to Governor	1,200.00	
		Salary of Watchman	1,320.00	
		Salary of Gardener	1,300.00	
		Salary of Typists, Secretary of State	4,400.00	
		Salary of Typist, State Controller	1,200.00	
		Salary of Typist, Attorney-General	1,300.00	
		Salary of Typist, Superintendent of Public Instruction	1,100.00	
		Salaries of Teachers at Orphans' Home	1,300.00	
		Salary of Bullion Tax Collector	2,406.25	
		Salary of Official Court Reporter	1,500.00	
		Salary of State Veterinarian	1,800.00	
		Salary of Engineer and Janitor	1,300.00	
		Salary of Bank Examiner	1,768.85	
		Salary of Clerk to Secretary of State	2,000.00	
		Salary of Clerk to State Treasurer	1,200.00	
		Salary of State Auditor	1,766.65	
		Salary of Stenographers, Supreme Court	2,477.70	
	Carried forward		\$66,929.25	

REPORT OF STATE TREASURER

Disbursements—Continued

Date	Paid from	Paid for	Amount	Total
1909	Brought forward		\$86,929.25	
Dec. 31.	General Fund	Salary of Deputy Attorney-General	1,454.85	
		Salary of Warden of State Prison	2,572.55	
		Salary of Superintendent of Orphans' Home	1,100.00	
		Salary of Matron of Orphans' Home	1,100.00	
		Salary of State Mine Inspector	2,390.00	
		Expenses of State Mine Inspector	1,337.10	
		Salary, Superintendent, Hospital for Mental Diseases	2,200.00	
		Bailiff of Supreme Court	298.00	
		Support of State printing	19,689.05	
		Support of State bookbinding	3,348.40	
		Board of Assessors	798.70	
		Traveling expenses of State Veterinarian	725.80	
		Virginia School of Mines	1,753.40	
		Death watch	1,897.97	
		Stationery, fuel and light	5,390.37	
		Current expenses	3,156.69	
		Capitol grounds	1,318.89	
		Tuition of deaf, dumb, and blind	2,942.82	
		Board of Health	192.00	
		Repairs at Orphans' Home	3,200.74	
		Nevada Fish Commission	5,689.05	
		Experimental Farm	7,251.19	
		Cleaning arms	110.75	
		Salary of Railroad Commissioners	10,000.00	
		Expenses of Railroad Commissioners	6,321.95	
		Salary of Clerk, Railroad Commission	2,219.35	
		Heating plant, University of Nevada	21,800.64	
		Traveling expenses, Bullion Tax Collector	1,364.13	
		Repairs at Nevada State Prison	4,384.21	
		Official advertising	1,200.00	
		Building Governor's Mansion	22,516.96	
		Repairs at Hospital for Mental Diseases	6,655.56	
		Repairs, Capitol and Printing Office	720.70	
		New reservoir	193.30	
		Printing press, State Printing Office	760.67	
		New machinery, State Printing Office	315.70	
		Traveling expenses, Bank Examiner	628.51	
		Desks, Supreme Court	19.25	

Cement walks, University of Nevada	204.50
New material, State Printing Office	762.35
Insurance	2,306.50
Compiling Nevada Supreme Court Reports	1,400.00
Printing and binding Nevada Supreme Court Reports	1,978.10
Irrigation	13,109.74
Relief of Wellington Bowen	950.00
Traveling expenses, State Auditor	1,116.15
Teachers' institutes	1,437.70
Relief	20,963.64
Nevada State Police	23,145.91
Expenses of Governor and Attorney-General	1,131.00
Teachers' examinations	680.83
Equipment of Mackay Building	1,341.07
State Orphans' Home	1,704.57
State Banking Board	6,162.43
Altering State Library	2,674.59
Storeroom for State Controller	42.90
State Prison	21,079.99
Expenses of District Judges	3,417.82
Military Building	4.14
Deficiencies, 1907-1908	3,388.05
Deficiency, University of Nevada	16,769.18
Extra enrolling, Legislature	192.00
Purchase of Fish Hatchery	3,339.34
Checking records, Legislature	200.00
Committee, University of Nevada	400.00
Typesetting machine	5,302.54
Emeritus in English	350.00
Bookkeeper, State Printing Office	888.75
New water system	5,419.48
Support of University of Nevada	32,720.04
University of Nevada, Library	4,825.20
University of Nevada, students' aid	2,532.00
Purchase of land, University of Nevada	2,230.00
Salary of Deputy Mine Inspector	1,400.00
Carpets and chairs, Supreme Court	765.50
Office expenses of Mine Inspector	909.62
Repairs, Capitol Building	222.21
Agricultural Dry Farm	257.45
University of Nevada, Manzanita Hall	19,228.93
University of Nevada, Hygienic Laboratory	2,674.58
Carried forward	\$424,307.71

REPORT OF STATE TREASURER

Disbursements—Continued

Date	Paid from	Paid for	Amount	Total
1909	Brought forward.....		\$424,307.71	
Dec. 31	General Fund	University of Nevada, green-house.....	608.97	
		University of Nevada, Biological Building.....	3,921.88	
		Pure food.....	172.72	
		Mining Congress at Goldfield.....	5,000.00	
		Compilation of statutes.....	5,150.00	
		Salary of Deputy Superintendents.....	5,591.43	
		Filing-cases, Secretary of State.....	761.52	
		Filing-cases, Attorney-General.....	239.00	
		Deputy Examiners.....	25.00	
		Maintenance of Governor's Mansion.....	1,904.21	
		Addition to Manzanita Hall.....	5,177.00	
		Ward building, Nevada Hospital for Mental Diseases.....	20,069.95	
		Emergency printing.....	467.58	
		Cataloguing Library.....	500.00	\$473,886.77
	State School Fund	Withdrawals of special deposits.....	\$698.57	
		Salary of Surveyor-General.....	2,400.00	
		Salary of Clerk, Land Office.....	2,198.80	
		Purchase of township plats.....	24.00	
		Purchase of Idaho 4 per cent bonds.....	189,867.65	
	General School Fund	Support of common schools.....	\$256,101.52	
		Salary of Superintendent of Public Instruction.....	1,833.30	
		Traveling expenses Superintendent Public Instruction.....	16.20	
	State Library Fund	Support of State Library.....	\$6,221.91	
		Removal of State Library.....	21,649.58	
		Filing-cases, Secretary of State.....	129.80	
	Judicial Salary Fund	Salary of Supreme Judges.....		30,001.29
	District Judges' Salary Fund	Salary of District Judges.....		14,875.00
	Orphans' Home Fund	Support of Orphans' Home.....		41,123.50
	State Prison Fund	Support of State Prison.....		20,872.92
	Indigent Insane Fund	Support of Hospital for Mental Diseases.....		43,886.01
	Interest Account, 90,000-Acre Grant	Support of University of Nevada.....		48,325.96
	Contingent University Fund	Support of University of Nevada.....		3,843.10
				32,511.68

REPORT OF STATE TREASURER

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Contingent University Fund, Laboratory bonds.....	\$40.00	Interest on Nevada 4 per cent bonds.....	2,000.00
State University Fund.....	2,040.00	Redemption of Nevada 4 per cent bonds.....	110.00
Orphans' Home Interest and Sinking Fund.....	110.00	Withdrawals of special deposits.....	880.00
State University Interest and Sinking Fund.....	4,000.00	Interest on Nevada 4 per cent bonds.....	4,000.00
State Interest and Sinking Fund.....	\$510.00	Redemption of Nevada 4 per cent bonds.....	4,880.00
Territorial Interest and Sinking Fund.....	18,000.00	Interest on Nevada 4 per cent bonds.....	18,510.00
Contingent University Fund, No. 1.....	\$3,780.00	Redemption of Nevada 4 per cent bonds.....	27,780.00
Contingent University Fund, No. 2.....	24,000.00	Interest on Nevada 5 per cent bond.....	19,000.00
Metallurgical Equipment Fund.....	240.00	Interest on Nevada 4 per cent bonds.....	640.00
Sheep Inspection Fund.....	128.49	University of Nevada.....	10,079.42
Emergency School Fund.....	4,940.00	Salaries of Sheep Inspectors.....	4,940.00
Prison Building Fund.....	910.35	Teachers' salaries.....	910.35
Deputy Superintendents' Salary Fund.....	8,748.02	Building new Prison.....	8,748.02
Legislative Fund.....	63,691.66	Salaries and expenses of Deputy Superintendents.....	63,691.66
Dining Hall Fund.....	23.00	Support of Legislature.....	23.00
Total disbursements.....	\$1,324,186.19	University of Nevada.....	

REPORT OF STATE TREASURER

EXHIBIT D
Showing receipts and disbursements for the year 1908

Funds	Receipts	Disbursements
General Fund	\$419,179.78	\$473,886.77
State School Fund	234,565.33	195,189.02
General School Fund	187,862.20	257,951.02
State Interest and Sinking Fund	31,840.87	27,780.00
Territorial Interest and Sinking Fund	21,600.96	19,000.00
State University Interest and Sinking Fund	2,124.74	18,510.00
Contingent University Interest and Sinking Fund, No. 1	631.39	240.00
Contingent University Interest and Sinking Fund, No. 2	1,894.57	640.00
State Library Fund	45,422.30	30,001.29
Judicial Salary Fund	210.00	14,875.00
Orphans' Home Fund	2,965.20	20,872.92
State Prison Fund	538.50	43,886.01
Indigent Insane Fund	855.00	48,925.96
University Fund, 90,000-Acre Grant	14,800.48	
Interest Account, 90,000-Acre Grant	3,848.00	3,843.10
State University Fund	513.45	110.00
Contingent University Fund	33,667.66	32,511.66
Contingent University Fund, Laboratory bonds	1,327.88	2,040.00
Contingent University Fund, Hospital bonds	531.18	
Prison Building Fund		910.35
District Judges' Salary Fund	42,367.74	41,123.50
State Prison Interest and Sinking Fund	10,977.45	
Orphans' Home Interest and Sinking Fund	6,315.29	4,880.00
Emergency School Fund		4,940.00
Metallurgical Equipment Fund		128.49
Dining Hall Fund, State University		23.00
Sheep Inspection Fund	11,124.04	10,079.42
Legislative Fund		63,691.66
Deputy Superintendents' Salary Fund	7,386.40	8,748.02
Less amount received in 1908, but apportioned with 1908 receipts	\$1,062,540.41	
Totals	286.67	
	\$1,062,254.74	\$1,324,196.19

REPORT OF STATE TREASURER

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EXHIBIT E

Showing transfers during the year 1909

1909			
Dec. 31			
	From General Fund to Judicial Salary Fund	\$14,790.00	\$197,305.34
	From General Fund to Orphans' Home Fund	16,660.79	11,124.04
	From General Fund to State Prison Fund	42,664.00	
	From General Fund to Indigent Insane Fund	43,391.38	
	From General Fund to Legislative Fund	66,000.00	
	From General Fund to Emergency School Fund	3,000.00	
	From General Fund to Sheep Inspection Fund	9,688.62	
	From General Fund to Prison Building Fund	910.35	
	From Sheep Inspection Fund to General Fund		
	From Territorial Interest and Sinking Fund to State University Interest and Sinking Fund	\$14,684.13	
	From Territorial Interest and Sinking Fund to State Interest and Sinking Fund	6,000.00	
	From Contingent University Fund (Hospital bonds) to State Interest and Sinking Fund		20,684.13
	From Contingent University Fund (Laboratory bonds) to State Interest and Sinking Fund		1,796.26
	From Legislative Fund to General Fund		178.93
	From General School Fund to Emergency School Fund		2,308.34
	From University Fund, 90,000-Acre Grant, to State University Fund		3,000.00
	From Emergency School Fund to General School Fund		10.00
	From State Library Fund to General Fund		660.00
	From State Library Fund to General School Fund	\$18,607.30	
		18,607.30	
	Total		37,214.60
			\$274,221.64

REPORT OF STATE TREASURER

EXHIBIT F

Showing balance on hand January 1, 1909, and receipts during 1909; also disbursements and balances on hand December 31, 1909

1909		
Dec. 31	Balance on hand, January 1, 1909	\$802,726.93
	Received during 1909	1,082,254.74
	Disbursed during 1909	\$1,884,981.67
	Balance in Treasury, December 31, 1909	1,324,186.19
		\$560,785.48
	<i>Apportioned as follows:</i>	
	General Fund	\$260,862.64
	State School Fund	74,361.54
	General School Fund	89,897.02
	State Interest and Sinking Fund	31,600.45
	Territorial Interest and Sinking Fund	16,428.59
	State University Interest and Sinking Fund	2,124.74
	Contingent University Interest and Sinking Fund, No. 1	1,899.58
	Contingent University Interest and Sinking Fund, No. 2	5,114.01
	State Library Fund	5,011.37
	Judicial Salary Fund	1,250.00
	Orphans' Home Fund	129.70
	State Prison Fund	461.44
	Indigent Insane Fund	374.05
	University Fund, 90,000-Acre Grant	25,188.21
	Interest Account, 90,000-Acre Grant	180.37
	State University Fund	1,383.82
	Contingent University Fund	20,746.12
	Contingent University Fund, Laboratory bonds	1,327.88
	Contingent University Fund, Hospital bonds	531.18
	District Judges' Salary Fund	4,281.20
	State Prison Interest and Sinking Fund	10,977.45
	Orphans' Home Interest and Sinking Fund	6,113.36
	Emergency School Fund	400.00
	Metalurgical Building Fund	18.14
	Metalurgical Equipment Fund	238.24
	Sheep Inspection Fund	8.10
	Deputy Superintendents' Salary Fund	176.28
	Total	\$560,785.48

EXHIBIT G
Showing county settlements in 1909

Counties	June	December	Totals
Churchill County	\$8,470.28	\$9,890.51	\$18,360.79
Clark County		Delinquent	
Douglas County	4,303.68	4,745.51	9,059.19
Elko County	31,981.41	43,201.44	74,892.85
Emeralda County	42,237.16	40,554.68	82,791.84
Eureka County	6,531.70	7,552.49	14,084.19
Humboldt County	24,260.09	28,469.78	52,729.87
Lander County	5,811.68	6,661.18	12,472.86
Lincoln County	14,226.94	Delinquent	14,226.94
Lyon County	11,985.07	13,164.35	25,149.42
Nye County	16,308.56	21,843.72	38,152.28
Ormsby County	3,904.96	5,593.54	9,498.50
Storey County	4,763.70	4,428.04	9,191.74
Washoe County	46,361.47	58,033.24	104,394.71
White Pine County	16,106.68	26,007.54	42,114.22
Totals	\$236,953.38	\$270,146.02	\$507,099.40

REPORT OF STATE TREASURER

EXHIBIT H

Showing warrants outstanding January 1, 1909; warrants drawn, registered, paid and returned to Controller during the year; also warrants outstanding December 31, 1909

Funds	Outstanding January 1, 1909	Warrants drawn and registered 1909	Warrants paid, can- celed and returned	Warrants outstanding December 31, 1909
General Fund	\$29,279.09	\$464,072.14	\$473,886.77	\$19,464.46
State School Fund	748.15	194,807.52	195,189.02	366.65
State Interest and Sinking Fund	7,423.65	250,694.97	257,951.02	1,667.70
Territorial Interest Fund		27,780.00	27,780.00	
State Library Fund		19,000.00	19,000.00	
Judicial Salary Fund	597.57	29,415.00	30,001.29	11.28
State Orphans' Home Fund	1,125.00	15,000.00	14,875.00	120.00
State Prison Fund		21,002.62	20,872.92	129.70
State Indigent Insane Fund	219.45	44,137.00	43,895.01	461.44
Interest Account, 90,000-Acre Grant	4,253.43	44,446.58	48,325.96	374.05
State University Fund	159.37	3,683.73	3,843.10	
Contingent University Fund		110.00	110.00	
Legislative Fund		27,148.54	32,511.66	152.19
District Judges' Salary Fund	5,515.31	63,691.66	63,691.66	
University Interest and Sinking Fund		42,280.30	41,123.50	3,458.80
Contingent University Fund, No. 1, 1905	2,292.00	18,510.00	18,510.00	
Contingent University Fund, No. 2, 1905		240.00	240.00	
Contingent University Fund, Laboratory bonds		640.00	640.00	
Mining and Metallurgical Equipment Fund		2,040.00	2,040.00	
University of Nevada Dining Hall Fund	9.25	119.24	128.49	
Orphans' Home Interest and Sinking Fund		23.00	23.00	
Sheep Inspection Fund	398.90	4,880.00	4,880.00	8.10
Emergency School Fund		9,698.62	10,079.42	
State Prison Building Fund		5,340.00	4,940.00	400.00
Deputy Superintendents' Fund		910.35	910.35	
	1,059.99	7,688.03	8,748.02	
Totals	\$53,081.16	\$1,350,459.56	\$1,324,196.19	\$26,243.37

EXHIBIT I
Showing list of United States bonds, Massachusetts State bonds, Idaho State bonds, and Nevada State bonds held by the several funds

Date	Funds	Description of bonds	Amount	Total
1909				
Dec. 31	State School Fund	Nevada 5 per cent bond	\$380,000.00	
		Nevada 4 per cent bonds	98,000.00	
		Massachusetts State 3 and 3½ per cent bonds	1,008,000.00	
		United States 4 per cent bonds	215,000.00	
		Idaho State 4 per cent bonds	186,000.00	\$1,884,000.00
	University Fund, 90,000-Acre Grant	Nevada 4 per cent bonds	\$12,000.00	
		Massachusetts State 3 and 3½ per cent bonds	68,500.00	80,500.00
	State University Fund	Nevada 4 per cent bonds	\$14,000.00	
		Massachusetts State 3 and 3½ per cent bonds	33,500.00	47,500.00
	Total			\$2,012,000.00

REPORT OF STATE TREASURER

EXHIBIT J
Showing outstanding Nevada State bonds, December 31, 1909

Fund	Description of bond	Issued	Life	Interest payments	Rate Pr. Ct.	Amount	Total
State School Fund	Nevada 5 per cent bond	Apr. 1, 1879	Irredeemable	Jan. and July	5	.....	\$380,000.00
	9 bonds, 12 to 20, inclusive	Sept. 2, 1895	10 years	Jan. and July	4	\$9,000.00	
	20 bonds, 21 to 40, inclusive	Oct. 30, 1895	10 years	Jan. and July	4	20,000.00	
	8 bonds, 41 to 48, inclusive	Nov. 30, 1895	10 years	Jan. and July	4	8,000.00	
	10 bonds, 16 to 25, inclusive	Aug. 1, 1897	10 years	Jan. and July	4	10,000.00	
	10 bonds, 26 to 35, inclusive	Oct. 31, 1897	10 years	Jan. and July	4	10,000.00	
	3 bonds, 36 to 38, inclusive	Nov. 30, 1897	10 years	Jan. and July	4	3,000.00	
	20 bonds, 19 to 38, inclusive	Sept. 2, 1903	20 years	Jan. and July	4	20,000.00	
	16 bonds, 1 to 16, inclusive	Aug. 1, 1905	20 years	Jan. and July	4	16,000.00	
	2 bonds, 5 to 6, inclusive	Sept. 30, 1893	10 years	Jan. and July	4	\$2,000.00	96,000.00
University Fund, 90,000-Acre Grant	2 bonds, 7 to 8, inclusive	Dec. 30, 1893	10 years	Jan. and July	4	2,000.00	
	1 bond, No. 11	Feb. 28, 1894	10 years	Jan. and July	4	1,000.00	
	1 bond, No. 14	May 31, 1894	10 years	Jan. and July	4	1,000.00	
	6 bonds, 1 to 6, inclusive	Aug. 1, 1905	10 years	Jan. and July	4	6,000.00	
	3 bonds, 1 to 3, inclusive	May 1, 1893	10 years	Jan. and July	4	\$3,000.00	12,000.00
	1 bond, No. 4	June 30, 1893	10 years	Jan. and July	4	1,000.00	
State University Fund	2 bonds, 9 to 10, inclusive	Dec. 30, 1893	10 years	Jan. and July	4	2,000.00	
	1 bond, No. 12	Apr. 21, 1894	10 years	Jan. and July	4	1,000.00	
	1 bond, No. 13	May 31, 1894	10 years	Jan. and July	4	1,000.00	
	3 bonds, 18 to 20, inclusive	Mar. 30, 1895	10 years	Jan. and July	4	3,000.00	
	2 bonds, 15 to 16, inclusive	July 1, 1896	10 years	Jan. and July	4	2,000.00	
	1 bond, No. 17	May 7, 1897	10 years	Jan. and July	4	1,000.00	14,000.00
	Total						\$502,000.00

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STATE OF NEVADA

ANNUAL REPORT

OF THE

STATE TREASURER

1910

D. M. RYAN, State Treasurer



CARSON CITY, NEVADA

STATE PRINTING OFFICE : : : JOE FARNSWORTH, SUPERINTENDENT

1911



STATE TREASURER'S REPORT FOR 1910

OFFICE OF THE STATE TREASURER,
CARSON CITY, NEVADA, December 31, 1910.

To His Excellency, T. L. ODDIE, Governor of the State of Nevada.

DEAR SIR: In compliance with law I herewith transmit my annual report showing the financial transactions of the State during the year 1910.

Yours very respectfully,

D. M. RYAN,
State Treasurer.

REPORT OF STATE TREASURER

EXHIBIT A
Apportionment of cash in treasury January 1, 1910

Date	Apportioned to	Total	Total
1910	Balance in Treasury, January 1, 1910		\$560,785.48
Jan. 1	<i>Apportioned as follows:</i>		
	General Fund	\$280,862.64	
	State School Fund	74,361.54	
	State Interest and Sinking Fund	89,897.02	
	Territorial Interest and Sinking Fund	31,600.45	
	State University Interest and Sinking Fund	16,428.59	
	Contingent University Interest and Sinking Fund, No. 1	2,124.74	
	Contingent University Interest and Sinking Fund, No. 2	1,569.68	
	State Library Fund	5,114.01	
	Judicial Salary Fund	5,011.37	
	Orphans' Home Fund	1,250.00	
	State Prison Fund	129.70	
	Indigent Insane Fund	461.44	
	University Fund, 90,000-Acre Grant	374.06	
	Interest Account, 90,000-Acre Grant	25,188.21	
	State University Fund	180.37	
	Contingent University Fund	1,388.82	
	Contingent University Fund, Laboratory	20,746.12	
	Contingent University Fund, Hospital	1,327.88	
	District Judges' Salary Fund	531.18	
	State Prison Interest and Sinking Fund	4,281.20	
	Orphans' Home Interest and Sinking Fund	10,977.45	
	Emergency School Fund	6,113.36	
	Metallurgical Building Fund	400.00	
	Metallurgical Equipment Fund	18.14	
	Sheep Inspection Fund	238.24	
	Deputy Superintendents' Salary Fund	8.10	
		176.28	
			\$560,785.48

REPORT OF STATE TREASURER

EXHIBIT B Showing receipts for the year 1910

Date	Sources of revenue	Appropriated to	Amount	Total
1910				
Dec. 31.	Insurance licenses.....	General Fund.....	\$10,031.68	
	Nomination fees.....	General Fund.....	2,600.00	
	Liquor licenses.....	General Fund.....	45,286.92	
	Error in deficiency, 1907-1908.....	General Fund.....	279.45	
	Sale of Statutes.....	General Fund.....	168.00	
	Supreme Court fees.....	General Fund.....	962.05	
	Lease of University grounds.....	General Fund.....	5.00	
	Attorneys' licenses.....	General Fund.....	1,000.00	
	Civil War claims.....	General Fund.....	12,292.34	
	Bank licenses.....	General Fund.....	3,147.00	
	Water applications.....	General Fund.....	6,550.55	
				\$82,292.99
	Sale of State school land.....	State School Fund.....	80,179.83	
	Interest on Idaho 4 per cent bonds.....	State School Fund.....	300.00	
	Escheated estates.....	State School Fund.....	86.80	
	Five per cent commission on sale of public lands.....	State School Fund.....	3,459.23	
	Redemption of Nevada 4 per cent bonds.....	State School Fund.....	44,000.00	
	Penal fine.....	State School Fund.....	500.00	
	Interest on United States 4 per cent bonds.....	State School Fund.....	2,150.00	
	Interest on Massachusetts 3 and 3½ per cent bonds.....	State School Fund.....	350.00	
				131,035.86
	Interest on deferred land payments.....	General School Fund.....	73,305.37	
	Interest on United States 4 per cent bonds.....	General School Fund.....	6,428.70	
	Interest on Nevada 4 and 5 per cent bonds.....	General School Fund.....	23,600.00	
	Interest on Massachusetts 3 and 3½ per cent bonds.....	General School Fund.....	31,104.85	
	Interest on Idaho 4 per cent bonds.....	General School Fund.....	8,198.70	
				142,637.72
	Interest on deferred land payments.....	Interest Account, 90,000-Acre Grant.....	1,048.14	
	Interest on Nevada 4 per cent bonds.....	Interest Account, 90,000-Acre Grant.....	1,100.00	
	Interest on Massachusetts 3 and 3½ per cent bonds.....	Interest Account, 90,000-Acre Grant.....	2,279.00	
				4,427.14
	Sale of land.....	University Fund, 90,000-Acre Grant.....	1,232.35	
	Redemption Nevada 4 per cent bonds.....	University Fund, 90,000-Acre Grant.....	5,000.00	
				6,232.35

REPORT OF STATE TREASURER

Receipts—Continued

Date	Sources of revenue	Apportioned to	Amount	Total
1910				
Dec. 31.	Brought forward		\$567.69	\$366,626.06
	Sale of land	State University Fund	6,000.00	
	Redemption Nevada 4 per cent bonds	State University Fund		
	Interest on deferred land payments	Contingent University Fund	\$510.91	
	Interest on Nevada bonds	Contingent University Fund	420.00	
	Interest on Massachusetts 3 and 3½ per cent bonds	Contingent University Fund	1,044.00	
	Sale of Nevada Reports	State Library Fund	\$1,029.25	1,974.91
	Secretary of State fees	State Library Fund	39,826.45	
	Attorneys' licenses	State Library Fund	400.00	
	Docket tax	Judicial Salary Fund		41,254.70
	Board of patients, Hospital Mental Diseases	Indigent Insane Fund		150.00
	Sale of stone and pasturage	State Prison Fund		1,608.00
	Board of children	Orphans' Home Fund		376.00
	Issue Nevada State bonds	Prison Building Fund		7,702.81
	Sheep taxes	Sheep Inspection Fund		106,000.00
	County payments to District Judges' Salary Fund	District Judges' Salary Fund		12,748.09
	County settlements	General Fund		47,781.53
		State School Fund		337,277.58
		General School Fund		6,478.75
		State Interest and Sinking Fund		48,631.38
		Territorial Interest and Sinking Fund		33,984.90
		Contingent University Fund		20,380.87
		Contingent University Fund, No. 1		33,984.84
		Contingent University Fund, No. 2		679.54
		Orphans' Home Interest and Sinking Fund		2,038.86
		State Prison Interest and Sinking Fund		6,708.88
		Sheep Inspection Fund		20,380.87
			1,186.11	
	Total			\$1,108,575.47

EXHIBIT C
Showing disbursements for the year 1910

Date	Paid from	Paid for	Amount	Total
1910				
Dec. 31.	General Fund	Salary of Lieutenant and Acting Governor	\$4,000.00	
		Salary of Secretary of State	2,400.00	
		Salary of State Controller	2,400.00	
		Salary of State Treasurer	2,400.00	
		Salary of Governor's Private Secretary	2,400.00	
		Salary of Deputy Secretary of State	2,400.00	
		Salary of Deputy State Controller	2,000.00	
		Salary of Deputy State Treasurer	2,166.65	
		Salary of Deputy Surveyor-General	2,333.30	
		Salary of Attorney-General	2,000.00	
		Salary of State Printer	3,000.00	
		Salary of Supreme Court Reporter	600.00	
		Salary of Mineral Land Commissioner	2,500.00	
		Salary of Publicity Commissioner	2,500.00	
		Salary of Library Clerk	1,500.00	
		Salary of Draughtsman	2,000.00	
		Salary of Typist in Land Office	1,200.00	
		Salary of Janitor	1,300.00	
		Salary of Clerk to Governor	1,200.00	
		Salary of Watchman	1,320.00	
		Salary of Gardener	1,320.00	
		Salary of Typists to Secretary of State	4,800.00	
		Salary of Typist to State Controller	1,200.00	
		Salary of Typist to Attorney-General	1,200.00	
		Salary of Typist to Superintendent Public Instruction	1,200.00	
		Salary of Teachers Orphan's Home	1,300.00	
		Salary of Bullion Tax Collector	2,500.00	
		Salary of Official Court Reporter	1,500.00	
		Salary of State Veterinarian	1,800.00	
		Salary of Engineer and Janitor	1,300.00	
		Salary of Clerk to Secretary of State	2,000.00	
		Salary of Clerk to State Treasurer	1,200.00	
		Salary of State Auditor	2,400.00	
		Salary of Stenographers, Supreme Court	3,000.00	
		Salary of Deputy Attorney-General	2,400.00	
		Carried forward	\$88,719.95	

REPORT OF STATE TREASURER

Disbursements—Continued

Date	Paid from	Paid for	Amount	Total
1910	Brought forward		\$89,719.95	
Dec. 31.	General Fund	Salary of Warden of State Prison	3,000.00	
		Salary of Superintendent of Orphans' Home	1,200.00	
		Expenses of Railroad Commissioners	4,708.04	
		Salary of Matron Orphans' Home	1,200.00	
		Salary of Mine Inspector	\$3,551.65	
		Traveling expenses of Mine Inspector	1,987.50	
		Salary Superintendent, Hospital for Mental Diseases	2,400.00	
		Bailiff of Supreme Court	234.50	
		Support of State printing	13,506.54	
		Support of State bookbinding	1,259.91	
		Board of Assessors	1,324.80	
		Traveling expenses of State Veterinarian	256.45	
		Virginia School of Mines	1,625.00	
		Death watch	3,969.59	
		Stationery, fuel and light	2,612.22	
		Current expenses	4,799.92	
		Capitol grounds	836.95	
		Tuition of deaf, dumb and blind	2,079.15	
		Board of Health	355.00	
		Repairs, Orphans' Home	1,799.26	
		Nevada Fish Commission	3,580.32	
		Experimental Farm	4,609.38	
		Salary of Railroad Commissioners	10,000.00	
		Salary of Clerk of Railroad Commission	2,400.00	
		Heating plant, University of Nevada	9,189.36	
		Traveling expenses, Bullion Tax Collector	1,470.20	
		Repairs, Nevada State Prison	1,753.11	
		Official advertising	400.00	
		Building Governor's Mansion	10,982.29	
		Repairs, Hospital for Mental Diseases	9,026.87	
		Repairs, Capitol and Printing Office	6,082.12	
		New presses, Printing Office	11.89	
		Desks, Supreme Court	82.21	
		New material, State Printing Office	310.28	
		Insurance	160.00	
		Compiling Nevada Reports	700.00	
		Printing and binding Nevada Reports	1,583.00	
		Care of G. A. R. Cemetery	150.00	

REPORT OF STATE TREASURER

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Irrigation.....	11,379.99
Relief of Wellington Bowen.....	360.00
Traveling expenses of State Auditor.....	1,135.85
Teachers' Institute.....	512.00
Nevada State Police.....	23,026.20
Expenses Governor and Attorney-General.....	\$918.65
Rewards by Governor.....	500.00
Teacher's examinations.....	992.49
Election expenses.....	699.65
Equipment of Mackay Building.....	1,060.00
State Banking Board.....	8,156.27
Altering Library.....	523.86
Expenses District Judges.....	211.29
Purchase of Fish Hatchery.....	2,731.20
Typesetting machine.....	102.50
Emeritus in English.....	600.00
Bookkeeper Printing Office.....	1,200.00
New water system.....	2,072.62
Support University of Nevada.....	16,830.76
University of Nevada Library.....	5,167.80
University of Nevada, students' aid.....	2,467.90
Salary of Deputy Mine Inspector.....	2,090.35
Office expense Mine Inspector.....	1,118.13
Repairs of Capitol Building.....	725.81
Agricultural Dry Farm.....	3,416.06
University of Nevada, Manzanita Building.....	564.07
University of Nevada, Hygienic Laboratory.....	5,070.77
University of Nevada, Greenhouse.....	4,391.08
University of Nevada, Biological Equipment.....	78.32
Pure food.....	5,477.26
Compilation of statutes.....	8,350.00
Deputy Superintendents, salaries and expenses.....	13,972.04
Filing cases.....	3,429.75
Maintenance Governor's Mansion.....	4,095.79
Ward Building, Hospital Mental Diseases.....	22,816.38
Emergency Printing.....	24.00
Cataloging Library.....	1,470.00
Purchase of astronomical instruments.....	2,000.00
State Board of Pharmacy.....	75.00
Distribution of nomination fees.....	1,025.84
Withdrawals of special deposits.....	\$150.00
Salary of Surveyor-General.....	2,400.00
Salary of Clerk, Land Office.....	1,833.35
State School Fund.....	
Carried forward.....	\$4,383.35
	\$346,793.81

REPORT OF STATE TREASURER

Disbursements—Continued

Date	Paid from	Paid for	Amount	Total
	Brought forward		\$4,383.35 30.00 80,000.08	\$346,786.81
	General School Fund		\$189,900.18 1,966.70 68.75	84,413.35
	State Library Fund			201,985.63
	Judicial Salary Fund			5,179.71
	District Judges Salaries' Fund			15,000.00
	Orphans' Home Fund			43,649.50
	State Prison Fund			17,827.08
	Indigent Insane Fund			63,665.88
	Interest Account 90,000-Acre Grant			41,325.20
	Contingent University Fund			4,314.27
	Prison Building Fund			37,984.27
	Sheep Inspection Fund			30,376.00
	Emergency School Fund			8,665.76
	University Fund, 90,000-Acre Grant			2,900.00
	State University Fund			24,000.00
	State Prison Interest and Sinking Fund			1,000.00
	Territorial Interest and Sinking Fund			2,100.00
	Orphans' Home Interest and Sinking Fund			19,000.00
	State Interest and Sinking Fund		\$8,000.00 680.00	8,680.00
	Contingent University Fund, No. 1		\$41,000.00 2,580.00	43,580.00
	Contingent University Fund, No. 2		\$1,000.00 220.00	1,220.00
	Deputy Superintendents' Salary Fund		\$6,000.00 540.00	5,540.00
	Total disbursements	Refund to Counties		176.28
				\$1,008,629.94

REPORT OF STATE TREASURER

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EXHIBIT D Showing receipts and disbursements for the year 1910

Funds	Receipts	Disbursements
General Fund.....	\$419,570.57	\$346,796.81
State School Fund.....	197,514.61	84,413.35
General School Fund.....	191,269.10	201,935.63
State Interest and Sinking Fund.....	33,984.90	43,580.00
Territorial Interest and Sinking Fund.....	20,360.87	19,000.00
Contingent University Interest and Sinking Fund, No. 1.....	679.54	1,220.00
Contingent University Interest and Sinking Fund, No. 2.....	2,038.96	5,540.00
State Library Fund.....	41,254.70	5,179.71
Judicial Salary Fund.....	150.00	15,000.00
Orphans' Home Fund.....	1,702.81	17,827.08
State Prison Fund.....	376.00	63,665.88
Indigent Insane Fund.....	1,608.00	41,325.20
University Fund 90,000-Acre Grant.....	6,232.35	24,000.00
Interest Account 90,000-Acre Grant.....	4,427.14	4,314.27
State University Fund.....	6,567.69	1,000.00
Contingent University Fund.....	35,959.75	37,984.27
Prison Building Fund.....	105,000.00	30,376.20
District Judges' Salary Fund.....	47,781.53	43,649.50
State Prison Interest and Sinking Fund.....	20,360.87	2,100.00
Orphans' Home Interest and Sinking Fund.....	6,796.88	8,680.00
Emergency School Fund.....		2,900.00
Deputy Superintendents' Salary Fund.....		176.28
Sheep Inspection Fund.....	13,879.20	8,665.76
Totals.....	\$1,103,575.47	\$1,008,829.94

REPORT OF STATE TREASURER

EXHIBIT E
Showing transfers during the year 1910

1910	
Dec. 31	
From General Fund to Judicial Salary Fund	\$14,850.00
From General Fund to Orphans' Home Fund	11,885.37
From General Fund to State Prison Fund	73,362.18
From General Fund to Indigent Insane Fund	43,926.99
From General Fund to State Interest and Sinking Fund	510.04
From General Fund to Orphans' Home Interest and Sinking Fund	188.74
From General Fund to Contingent University Interest and Sinking Fund, No. 2	76.62
From General Fund to Sheep Inspection Fund	8,982.66
	\$153,782.60
From General School Fund to Emergency School Fund	6,000.00
From Emergency School Fund to General School Fund	2,500.00
From State Interest and Sinking Fund to General Fund	510.04
From Orphans' Home Interest and Sinking Fund to General Fund	188.74
From Contingent University Interest and Sinking Fund, No. 2, to General Fund	176.62
From Sheep Inspection Fund to General Fund	13,879.20
From State Library to General Fund	18,014.18
From State Library Fund to General School Fund	18,014.18
Total transfers	36,028.36
	\$218,065.56

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EXHIBIT F Showing balance on hand January 1, 1910, and receipts during 1910; also disbursements and balance on hand December 31, 1910

1910			
Dec. 31			
Balance on hand January 1, 1910		\$550,785.48	
Received during 1910		1,103,575.47	
Disbursed during 1910		\$1,664,360.96	
Balance in Treasury, December 31, 1910		1,008,893.94	
		\$656,531.01	
<i>Apportioned as follows:</i>			
General Fund		\$212,622.58	
State School Fund		127,462.80	
General School Fund		93,744.67	
State Interest and Sinking Fund		22,006.35	
Territorial Interest and Sinking Fund		17,819.46	
State University Interest and Sinking Fund		2,124.74	
Contingent University Interest and Sinking Fund No. 1		1,066.12	
Contingent University Interest and Sinking Fund No. 2		1,612.97	
State Library Fund		5,058.00	
Judicial Salary Fund		1,260.00	
Orphans' Home Fund		2,390.80	
State Prison Fund		10,533.74	
Indigent In-sane Fund		4,563.84	
University Fund, 90,000-Acre Grant		7,420.56	
Interest Account, 90,000-Acre Grant		283.24	
State University Fund		6,951.51	
Contingent University Fund		18,721.60	
Contingent University Fund, Laboratory		1,327.88	
Contingent University Fund, Hospital		531.18	
Prison Building Fund		74,623.80	
District Judges' Salary Fund		8,413.23	
State Prison Interest and Sinking Fund		29,268.32	
Orphans' Home Interest and Sinking Fund		4,230.24	
Emergency School Fund		1,000.00	
Metallurgical Building Fund		18.14	
Metallurgical Equipment Fund		238.24	
Sheep Inspection Fund		225.00	
Total		\$656,531.01	

REPORT OF STATE TREASURER

EXHIBIT G
Showing county settlements in 1910

Counties	January	February	June	December	Totals
Churchill County			\$7,674.80	\$10,380.73	\$18,055.53
Clark County		\$10,721.65	6,341.08	9,973.14	27,035.87
Douglas County			3,868.57	4,836.77	8,705.34
Elko County			28,784.35	49,068.91	77,853.26
Esmeralda County			37,886.85	42,042.85	79,929.70
Eureka County			5,826.49	8,372.58	14,199.07
Humboldt County			20,704.89	35,222.03	55,926.92
Lander County			4,851.20	6,980.65	11,831.85
Lincoln County	\$7,468.86		4,891.91	5,885.32	17,746.09
Lyon County			10,522.13	13,676.17	24,197.30
Nye County			17,686.96	19,819.17	37,506.13
Ormsby County			3,524.16	5,207.58	8,731.74
Storey County			3,926.19	4,397.66	8,323.85
Washoe County			40,429.74	60,442.06	100,871.80
White Pine County			20,806.23		20,806.23
Totals	\$7,468.86	\$10,721.65	\$217,806.55	\$275,794.62	\$511,790.68

REPORT OF STATE TREASURER

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EXHIBIT H

Showing warrants outstanding January 1, 1910; warrants drawn, registered, paid and returned to Controller during the year; also warrants outstanding December 31, 1910

Funds	Outstanding January 1, 1910	Warrants drawn and registered, 1910	Warrants paid, can- celed and returned	Warrants outstanding December 31, 1910
General Fund	\$19,464.46	\$364,934.43	\$346,796.81	\$37,602.08
State School Fund	368.65	84,746.70	84,413.35	700.00
General School Fund	166.70	204,814.18	201,935.63	3,045.25
State Interest and Sinking Fund		43,580.00	43,580.00	
Territorial Interest and Sinking Fund		19,000.00	19,000.00	
State Library Fund	11.28	5,226.43	5,179.71	58.00
Judicial Salary Fund	1,250.00	15,000.00	15,000.00	1,250.00
State Prison Fund	461.44	73,738.18	63,685.88	10,533.74
Orphans' Home Fund	129.70	17,197.38	17,327.06	
Indigent Insane Fund	374.06	45,534.89	41,375.85	4,533.19
University Fund, 90,000-Acre Grant		24,000.00	24,000.00	
Interest Account, 90,000-Acre Grant		4,316.27	4,314.27	2.00
State University Fund		1,000.00	1,000.00	
Contingent University Fund	152.19	37,852.06	37,984.27	19.98
District Judges' Salary Fund	3,458.80	46,563.50	43,649.50	6,372.80
Contingent University Interest and Sinking Fund, No. 1		1,220.00	1,220.00	
Contingent University Interest and Sinking Fund, No. 2		5,540.00	5,540.00	
Orphans' Home Interest and Sinking Fund		8,680.00	8,680.00	
Sheep Inspection Fund	8.10	8,882.66	8,665.76	225.00
Deputy Superintendents' Salary Fund		176.28	176.28	
Emergency School Fund		3,500.00	2,900.00	1,000.00
Prison Building Fund	400.00	30,529.20	30,376.20	153.00
State Prison Interest and Sinking Fund		2,100.00	2,100.00	
Totals	\$26,243.37	\$1,048,132.26	\$1,006,890.59	\$65,495.04

REPORT OF STATE TREASURER

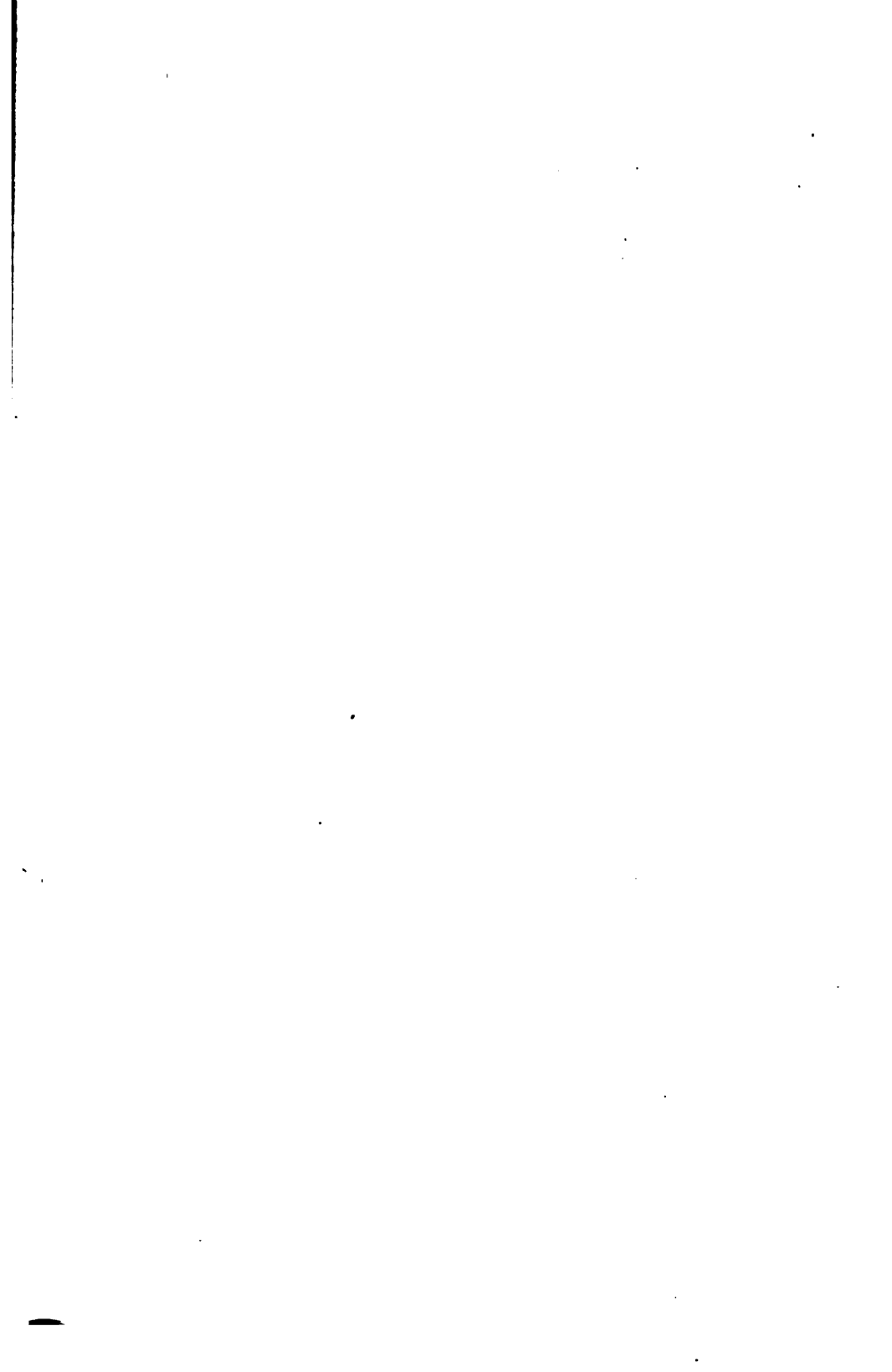
EXHIBIT I
Showing list of United States bonds, Massachusetts State bonds, Idaho State bonds, and Nevada State bonds held by the several funds

Date	Funds	Description of bonds	Amount	Total
1910				
Dec. 31,	State School Fund	Nevada 5 per cent bonds	\$380,000.00	
		Nevada 4 per cent bonds	132,000.00	
		Massachusetts State 3 and 3½ per cent bonds	1,008,000.00	
		United States 4 per cent bonds	215,000.00	
		Idaho State 4 per cent bonds	185,000.00	
				\$1,920,000.00
	University Fund, 90,000-Acre Grant	Nevada 4 per cent bonds	\$31,000.00	
		Massachusetts State 3 and 3½ per cent bonds	68,500.00	
				99,500.00
	State University Fund	Nevada 4 per cent bonds	\$9,000.00	
		Massachusetts State 3 and 3½ per cent bonds	33,500.00	
				42,500.00
	Total			\$2,062,000.00

17.

EXHIBIT J

Fund	Description of bond	Issued	Life	Interest payments	Rate Pr. Cr.	Amount	Total
State School Fund	Nevada 5 per cent bond	Apr. 1, 1879	Irredeemable	Jan. and July	5		\$380,000.00
	1 bond, No. 20	Sept. 2, 1885	10 years	Jan. and July	4	\$1,000.00	
	20 bonds, 21 to 40, inclusive	Oct. 30, 1885	10 years	Jan. and July	4	20,000.00	
	8 bonds, 41 to 48, inclusive	Nov. 30, 1885	10 years	Jan. and July	4	8,000.00	
	12 bonds, 27 to 38, inclusive	Sept. 2, 1903	20 years	Jan. and July	4	12,000.00	
	11 bonds, 6 to 16, inclusive	Aug. 1, 1906	20 years	Jan. and July	4	11,000.00	
	80 bonds, 1 to 80, inclusive	Mar. 31, 1910	20 years	Jan. and July	4	80,000.00	132,000.00
University Fund, 80,000-Acre Grant	1 bond, No. 11	Feb. 28, 1884	10 years	Jan. and July	4	\$1,000.00	
	1 bond, No. 14	May 31, 1884	10 years	Jan. and July	4	1,000.00	
	5 bonds, 2 to 6, inclusive	Aug. 1, 1885	10 years	Jan. and July	4	5,000.00	
	24 bonds, 81 to 104, inclusive	Mar. 31, 1910	20 years	Jan. and July	4	24,000.00	31,000.00
State University Fund	1 bond, No. 12	Apr. 21, 1884	10 years	Jan. and July	4	\$1,000.00	
	1 bond, No. 13	May 31, 1884	10 years	Jan. and July	4	1,000.00	
	3 bonds, 18 to 20, inclusive	Mar. 30, 1886	10 years	Jan. and July	4	3,000.00	
	2 bonds, 15 to 16, inclusive	July 1, 1887	10 years	Jan. and July	4	2,000.00	
	1 bond, No. 17	May 7, 1887	10 years	Jan. and July	4	1,000.00	
	1 bond, No. 105	Mar. 31, 1910	20 years	Jan. and July	4	1,000.00	9,000.00
	Total						\$552,000.00



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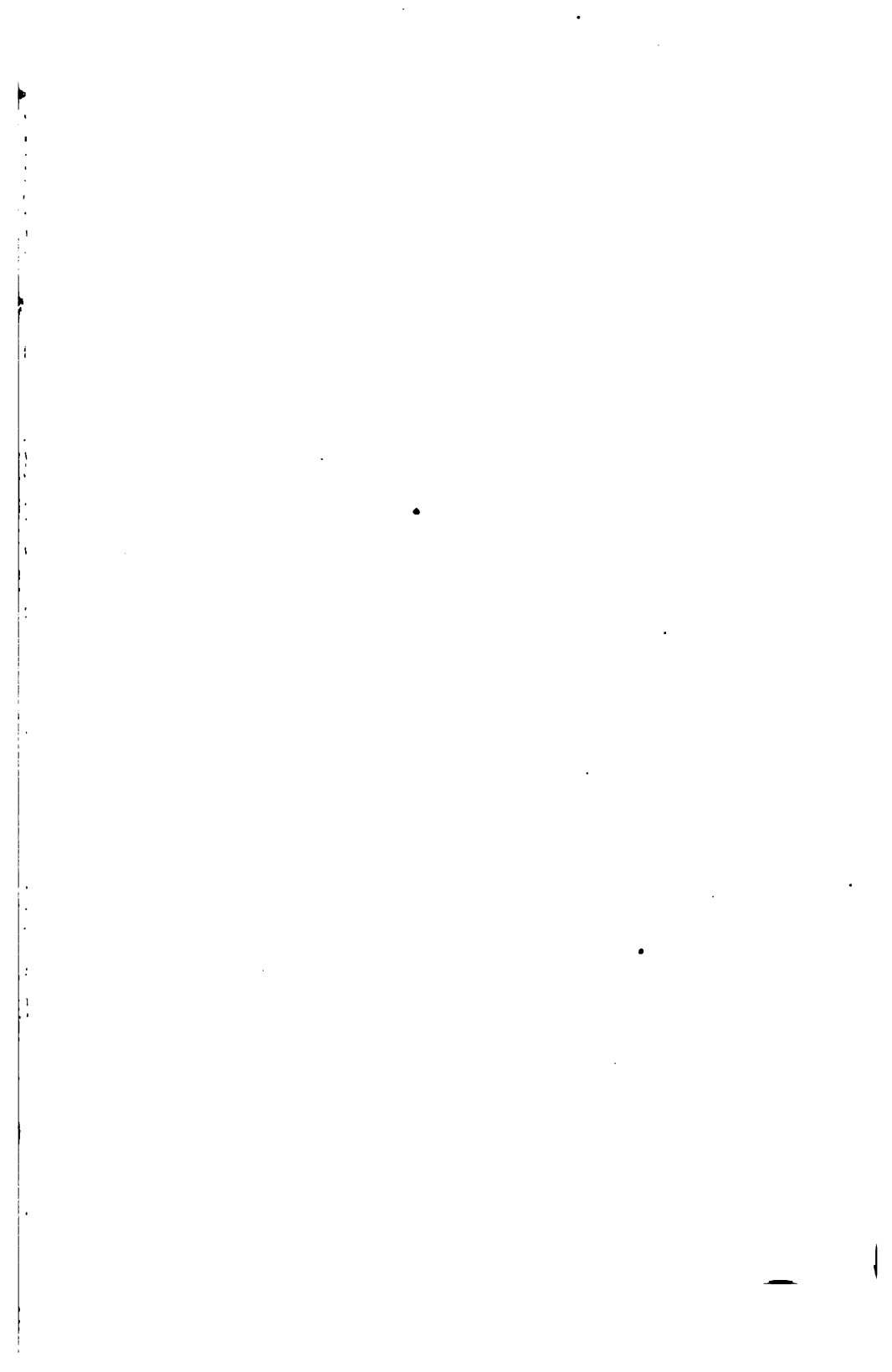
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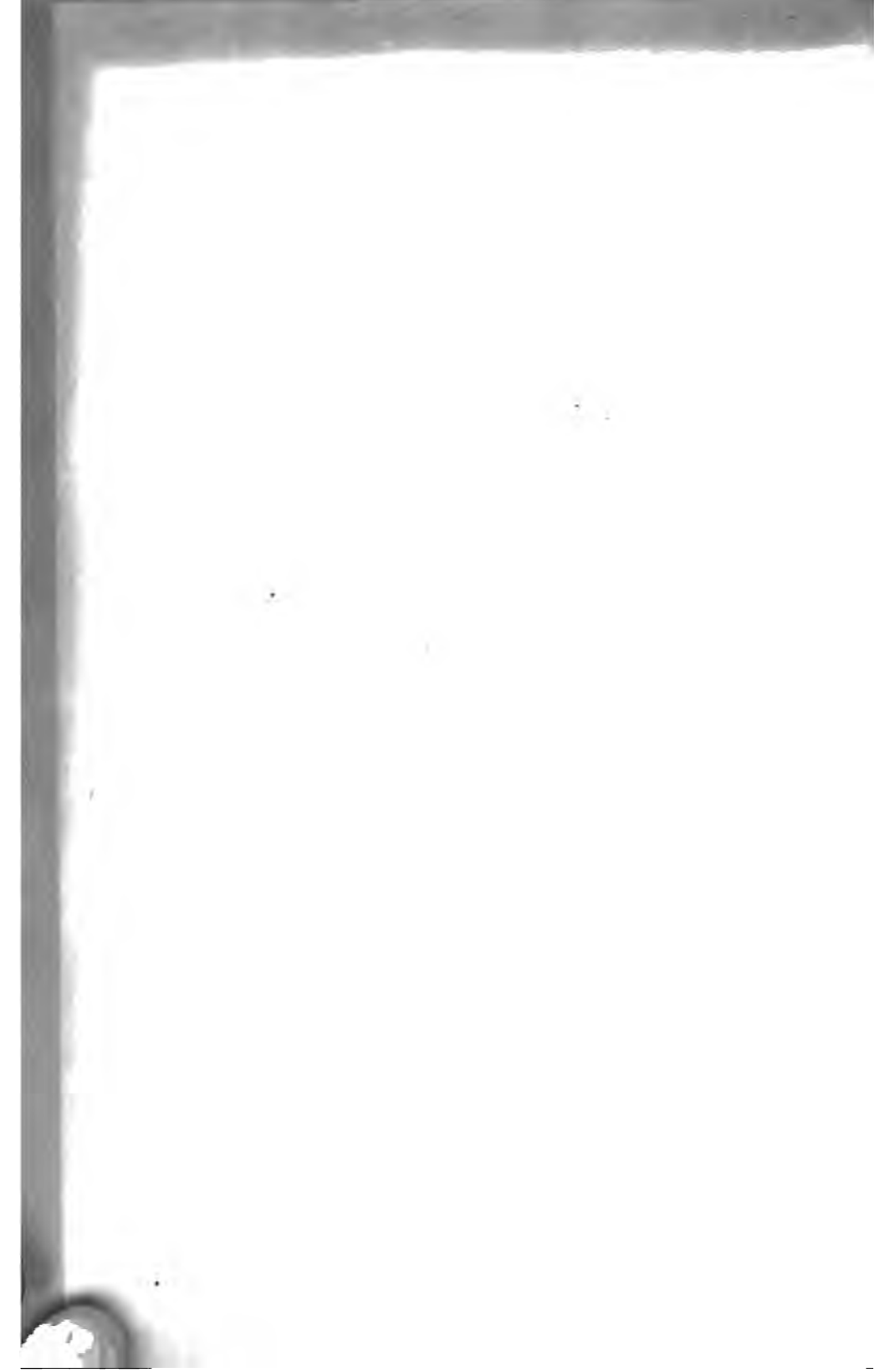
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